AMERICAN INSTITUTIONS
AND
THEIR PRESERVATION

BY

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VOLUME I

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PREFACE TO FIRST EDITION

MEN differ as to the principal mischiefs in the state. Some think materialism is ruining the country and yet admit the Civil War and the World War showed extraordinary courage and patriotism. Others fear class interests and yet acknowledge we have always had them. Others dread Catholicism and organize the Ku Klux Klan against it, and yet they should know that that church like other churches in modern times loses ground and has difficulty in holding its own everywhere. Others denounce the Jews, yet are surprised to learn that nearly all of them are found in or about New York, Philadelphia, Cleveland, and Chicago. Others denounce capitalism as governing the country and subjecting all other classes to a bare subsistence, yet they admit that never were comforts so widely diffused as now and that the captains of industry spring from the ranks and that inherited wealth soon takes wings and flies away. Others say the American stock is becoming depleted but admit it still controls the country and has tremendous vitality. Others claim that ethics are declining and yet recognize the fact that political life is improving and business methods are fairer and private life on the whole is of high standard. Others point to the invading hosts of immigrants from Southern and Eastern Europe as overwhelming the old American stock. Here we must pause and admit the danger.

After all, the character of the American people now and hereafter will determine whether each and all of these dangers can be met and overcome.

A far deeper mystery is involved. Every nation seems to have some mission to perform; some part to play in the history

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of the world. What is the American nation for? Apparently not for art, literature, philosophy, science, or religion. Nor for conquests and the government of subject races. Instinctively the whole world, the United States included, seems to say that America exists to ascertain and demonstrate whether or not a vast people in a vast country of every climate and every occupation is capable of governing itself by a democracy. *That* is the mission of America.

Americans have ideals and though those ideals are elusive and difficult to define, yet they permeate and dominate the political, social, economic, and daily life of the American people and are embodied in American institutions. Hence the first thing is to define American institutions and state what they are, something not heretofore attempted. Then follows an effort to appraise the forces which affect those institutions and the American Republic. This gives a legal basis to the book, but the scope of the subject is wide and leads far afield of the law. Like the law, however, the subject is full of controversies. A lawyer is expected to be fearless in the expression of his opinions and hence the views advanced in this book may excite antagonism, but that is immaterial provided they excite thought. A lawyer is expected also to be conservative and constructive; to analyze complicated facts and apply general principles; and even though he is an advocate and generally presents only one side of a case, yet it is his duty to see the other side and to present both sides when occasion requires, as it does in this instance. So far as this book fails to do that it is not up to professional standards.

Another peculiarity of the legal mind. A lawyer likes precedents. He lays before the court the opinions of prior jurists. He quotes freely to give all possible light. That plan is followed in this book. It may be one of the faults of the book.

America is the richest and most powerful nation in the world — too much so. It is constantly expanding its territory and dipping more and more into the affairs of other nations. In

recent years it has received much of the refuse of Europe to add to American difficulties. It is now slowly dawning on the American mind that we have difficulties enough; that, as stated above, the real mission of America is to continue to demonstrate that a great people spread over a great country is capable of self-government, and to demonstrate that a republic is the best form of government for people of intelligence and character. The future of America will test that form of government. Hence it is well to analyze the forces at work in America bearing on the future of American institutions. The more the subject is discussed the safer those institutions will be.

It is a curious fact that while lawyers formulate and direct social legislation, and the professors not at all, yet the professors write books on social subjects and the lawyers not at all. The result is that lawyers as legislators are not always well informed and professors as writers are not always practical.

In preparing this manuscript the author, besides consulting books in his own library, has read 504 books drawn from the New York Library, the Pratt Institute Library, and the Brooklyn Public Library, and to them he extends his thanks. The ideas herein contained have been slowly formed but probably everyone who happens to read or glance through this volume will find something to which he cannot agree.

In order to make the price of this book reasonable the author publishes it himself. He did this with one of his legal treatises and the result was satisfactory.

WILLIAM W. COOK.

NEW YORK,
January, 1927.

PREFACE TO SECOND EDITION

THE rich inheritance of political institutions which Americans receive, enjoy, and pass on to the next generation, should excite patriotism or at least curiosity to inquire what part was created by our forefathers and what part by Europe. It is well enough to be a citizen of the world but it is equally well to know what America has done for the world. "Know thyself" is national as well as personal. The hope of this book is to quicken the national consciousness that distinctive American Institutions exist; to establish their identity; to state what they are; to consider the vast influences bearing on them; to examine their *status* as controlling the greatest of world powers; to demonstrate that America stands for something higher than materialism; and to try to fathom a little of the future. Banquo said to the witches,

> "If you can look into the seeds of time,
> And say which grain will grow, and which will not,
> Speak, then to me."

And the Soothsayer said to Mark Antony

> "In nature's infinite book of secrecy
> A little I can read."

The author has been asked why he has no chapters on the church and the press. The answer is because they have lost their power and are no longer guiding forces in the republic.

The church ruled New England from 1628 to 1703 but misused its power and lost it. The Protestant churches are now largely community clubs. They do priceless work in framing conduct and character, but they affect American institutions very little except indirectly. The Catholic church has great power over

the Irish and immigrants from Southern and Eastern Europe but not over American institutions. It is true that parochial schools combine religion with education; but education is American and as to joining it with religion, other denominations are at liberty to do the same. There is no danger to the state from religion, and yet the recent Presidential election, where Massachusetts, now Catholic, left the Republican party and voted for a Catholic, causes one to wonder. However, the danger is not from religion; the danger is from irreligion and communism. The day has passed when religion can control or even seriously interfere with government in this country. Professor Hart of Harvard has well written, "The religious condition of the land may be summed up in a sentence; doctrine has decayed, but the appeal to character, to the ennoblement of the human soul, still continues and is as active a principle as it has ever been at any time in the history of the nation." The Ku Klux Klan is a passing phase. Public sentiment disapproves terrorism and punishment without a trial and the safeguards of the law.

As to the press the yellow journals have largely destroyed its power. They have made the public sceptical and have caused the entire press, in order to keep their circulation, to publish personalities, scandal, and crimes. The public taste and demands are responsible for this. Meantime the editorial column is weakening and no longer leads. It is chiefly valuable as showing the drift of public opinion. The press reflects public sentiment and is an educational instrument, but it has lost the power it had fifty years ago. It is becoming what it should be — the collector and printer of correct, complete and real news. Meantime the radio is distributing current news and bids fair to displace the daily press to a large extent. The press is no longer subject to political parties, but is subject to a more constant and subterranean power, namely, the demands of its advertisers that their interests be considered under all circumstances and that nothing be published derogatory to those interests. This is beginning

to be understood by the public and tends to destroy still further the power of the press. John Bigelow, himself a journalist and part owner of the Evening Post of New York, wrote in his *Retrospections of an Active Life* (Vol. 1, p. 93 — 1909) that

"the ownership and editorship of newspapers have fallen into different hands, and the acquiring of subscribers and advertisements controls their policy, more than any desire to lead or direct public opinion, which was the chief function of newspapers during the first half of the nineteenth century. In those days the editor was the owner of the paper. Since then the owners of the newspapers are capitalists, and editors are, for the most part, their salaried instruments."

Lord Chief Justice Hewart of England in an address before the American Bar Association at Buffalo on September 1, 1927, said:

"Thirty years ago and more there were already signs in many newspaper offices of a contest for supremacy between what may be called the editorial department on one side and the business, which is to a great extent the advertising department, on the other side. During the interval I cannot help thinking the contest seems to have been decided and, in an enormous number of cases, decided in favor of the business department. It was undoubtedly an expert in the business department who said not long ago that the real power of the press is the power of suppression. Side by side with this it is impossible not to observe another development by no means without interest to the student of democratic institutions. I mean the systematic and increasing concentration of the control of a great number of newspapers under one and the same hand. A multi-millionaire, it would seem, presses a button in his office, or his smoking-room, or his bedroom, and straightway the nominal heads of a whole group of newspapers stand at attention, and within a few hours each one of those newspapers, purporting in every case to represent an authentic and individual opinion, asserts or denies, attacks or defends, displays or suppresses, magnifies or disparages, in accordance with the will or the whim of the invisible dictator."

Prohibition also is of passing interest, so far as the perpetuity of American institutions is concerned. Prohibition is now a matter of adjustment. One thing it certainly has accomplished, namely, the removal from elections of the saloon, that iniquitous

center controlling the ignorant and criminal classes in cities for office and loot. *That* was a real menace to American institutions and its removal justifies much. As to the claim that prohibition takes away a natural right and liberty, there is no such thing as a "natural right." In original nature the only right was might and in fact might and right were synonymous. As shown elsewhere (see p. 544 *infra*) society creates rights and society may take them away. As to liberty under the Constitution the people have amended it and taken away the right to manufacture and sell intoxicating beverages. Compromises may be made as to what shall be considered intoxicating, but a conclusion has been arrived at and will grow in strength as the present generation passes away. Of the conquering races the early Romans and Arabians were water drinkers and certainly they did not lack in vigor. Emerson says of the Arabs: "They were Temperance troops. There was neither brandy nor flesh needed to feed them. They conquered Asia and Africa and Spain on barley. The Caliph Omar's walking-stick struck more terror into those who saw it than another man's sword. His diet was barley bread; his sauce was salt; and oftentimes by way of abstinence he ate his bread without salt. His drink was water. His palace was built of mud; and when he left Medina to go to the conquest of Jerusalem, he rode on a red camel, with a wooden bladder hanging at his saddle, with a bottle of water and two sacks, one holding barley and the other dried fruits." The automobile in itself alone renders prohibition necessary, to say nothing about other machinery. The great employers of labor know all this.

Immigration from Europe and Asia is now practically excluded by the settled policy of this country. The number allowed to come in is only about 154,000. Unfortunately this unduly restricts the English, Scotch, Dutch, and Scandinavians, who could and would help wholeheartedly in preserving American institutions. Race prejudice has nothing to do with exclusion. Race institutions are at stake. The only prejudice is the prejudice

to preserve one's own. That part of the act of 1924 which was intended to favor the Nordic immigrants was difficult to apply but a solution has been found. Meantime *blocs* try to block the will of the people and gates left ajar are being attacked. Congress is flooded with petitions and demands. It will not avail. Unrestricted immigration of English, Scotch, Dutch, and Scandinavians may come but never again the floods from Southern and Eastern Europe.

I have no sympathy with that class of writers (unassimilated) whose chief aim in life seems to be to break down the ideals and traditions of the American people. Socialistic writers who seek to undermine American institutions do so by first attacking the Constitution, the Supreme Court, George Washington, and New England. An instance is given on page 708 of this book. They do not dare attack Lincoln as yet. They will do so later. However, that class of literature merely creates resentment that American hospitality is thus abused. It strengthens "the wavering line."

The railroad problem has shifted to the question of consolidations. The real problem now is; who shall get the profit, — the promoters or the railroads themselves, leading to lower rates? For instance, the proposed Nickel Plate consolidation was handicapped by promoter's profits. Fortunately the Interstate Commerce Commission has a veto power which it is exercising. Consolidations produce profits and those profits should reduce capitalization instead of increasing the value of old stocks or creating new ones. Physical valuation, as shown elsewhere, should have little to do with it. Consolidations should go on but not to make tens of millions of profits for promoters. The exploiting of railroads for private gain should cease. They are public service corporations.

The University of Michigan in 1928 inaugurated a course of study involving American Institutions — the first and only course of that kind in any American University. The Lawyers

Club of that University established in 1927 the first professorship of legal research.

In the preface to the first edition of this book I mentioned that I had read 504 books from the public libraries. I now increase that number to 1307, and mention the fact merely to encourage more study and less social dissipation by Americans generally. The number of authors referred to herein is 807, a list of which is given on pages 799–809.

WILLIAM W. COOK.

NEW YORK,
April, 1929.

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American Institutions and Their Preservation

PART I

CHAPTER I

"THE GREAT EXPERIMENT"

At the time of the Revolutionary War the republican form of government was discredited throughout Europe and in fact the whole world. Some vestiges of a republic remained in Switzerland, but it was only a league of states tending to oligarchy at that time. France had an absolute monarchy; England under George III practically so[1]; Germany was under the uncontrolled power of Frederick the Great; Spain, Italy, and the rest were under kings. Holland had passed to a practical monarchy.[2] Monarchy in some form or other and a nobility or privileged class in some form or other were deemed essential to good government. Not even a constitutional monarchy found favor. Absolute monarchy, the antipodes of popular sovereignty, ruled. Sir Henry Maine wrote, "It is not at all easy to bring home to the men of the present day how low the credit of republics had sunk before the establishment of the United States."[3] As Sidgwick in his "Development of European Polity" says, absolute monarchy was regarded "as the final form of government . . . by which the task of establishing and maintaining a civilized political order had been, on the whole, successfully accomplished, after other modes of political construction had failed to realize it."[4] An absolute monarchy is where the king is the state, as Louis XIV said of himself.[5] Republican institutions had in his time prac-

tically disappeared from the face of the earth. As to the ancient world, Bryce says that it "having tried many experiments in free government, relapsed wearily after their failure into an acceptance of monarchy and turned its mind quite away from political questions" and not until the sixteenth century was any persistent effort made to win political freedom. During the long intervening centuries when a rising occurred it was for good government and not self-government. "Despotic monarchies everywhere held the field." [1]

The founders of the American Republic knew all this. Hence Washington expressed the universal conviction when he said in his inaugural, "The preservation of the sacred fire of liberty and the destiny of the republican model of government are justly considered as deeply, perhaps as finally, staked on the experiment entrusted to the hands of the American people." Nor was Europe at all convinced of the stability or safety of popular sovereignty even after America had established it. And with reason. The American ship of state rocked and rolled until a civil war swept land and sea. In the midst of that war Lincoln again expressed with tragic force the question whether popular sovereignty was possible. In his Gettysburg speech he said, "We here highly resolve that these dead shall not have died in vain, that this nation under God shall have a new birth of freedom, and that government of the people, by the people, for the people, shall not perish from the earth." Mr. Justice Brewer of the Supreme Court said that this Republic "was established in a place, at a time, and under circumstances peculiarly unique and fortunate — conditions which can never be repeated, and if the effort here made to establish popular government fails we may well believe that the failure will be final and irretrievable. As Webster said: 'If, in our case, the representative system ultimately fail, popular governments must be pronounced impossible. No combination of circumstances more favorable to the experiment can ever be expected to occur. The last hopes of man-

kind, therefore, rest with us; and if it should be proclaimed that our example had become an argument against the experiment, the knell of popular liberty would be sounded throughout the earth.'" [1] And again in 1832 Webster said, "Gentlemen, for the earth which we inhabit, and the whole circle of the sun, for all the unborn races of mankind, we seem to hold in our hands, for their weal or woe, the fate of this experiment. If we fail, who shall venture the repetition? If our example shall prove to be one not of encouragement, but of terror, not fit to be imitated, but fit only to be shunned, where else shall the world look for free models? If this great Western Sun be struck out of the firmament, at what other fountain shall the lamp of liberty hereafter be lighted? What other orb shall emit a ray to glimmer, even, on the darkness of the world?" [2]

And the end is not yet. A hundred and fifty years are but a step in time. America has great power, population, and wealth, but they render self-government more difficult. Democracy in the United States is yet to demonstrate that it can survive overpopulation and poverty of the lower classes, and the ambition and greed of the upper classes. The words of Maine, the author of "The Ancient Law" and "Popular Government," are true. Popular sovereignty, he says, "is characterized by great fragility" and democracy "of all forms of government is by far the most difficult" — so difficult that it "will tax to the utmost all the political sagacity and statesmanship of the world to keep it from misfortune." [3] In other words, as Emerson says, "Nature is not democratic, nor limited monarchial, but despotic." [4] Professor Wrong of the Toronto University says, "The eighteenth century had little experience of republics and no great love for them. Switzerland was the only stable republic in Europe, and it was a loose federation of small states, safe in their obscurity, until, a little later, they should happen to stand across the path of a soldier like Napoleon, who would then use them as he pleased. The Venetian republic had a long and

notable history, but it was in the control of a privileged oligarchy and its days were numbered. That a republic could not endure was a staple of Europe's political thinking." [1] Lecky says, "As we have, I think, abundantly seen, a tendency to democracy does not mean a tendency to parliamentary government, or even a tendency towards greater liberty. On the contrary, strong arguments may be adduced, both from history and from the nature of things, to show that democracy may often prove the direct opposite of liberty. In ancient Rome the old aristocratic republic was gradually transformed into a democracy, and it then passed speedily into an imperial despotism. In France a corresponding change has more than once taken place. A despotism resting on a plebiscite is quite as natural a form of democracy as a republic, and some of the strongest democratic tendencies are distinctly adverse to liberty. Equality is the idol of democracy, but, with the infinitely various capacities and energies of men, this can only be attained by a constant, systematic stringent repression of their natural development. Whenever natural forces have unrestricted play, inequality is certain to ensue. Democracy destroys the balance of opinions, interests, and classes, on which constitutional liberty mainly depends, and its constant tendency is to impair the efficiency and authority of parliaments, which have hitherto proved the chief organs of political liberty." [2] Taylor, a recent English writer on the subject, says, "The almost insuperable problem of modern democracy consists in this, that while it is unjust and therefore impossible to exclude the wage-earning classes from the enjoyment of political rights they are, as regards education and knowledge of the world and general political capacity, much inferior to the class which by their superior numbers they displace. Republicanism, being based upon the assumption that the citizens will voluntarily abstain from anti-social conduct, shares the weakness which has been attributed to most liberal theories, 'that while satisfactory in times of peace, in times of

trouble they almost invariably break down.' Much severe criticism has been expended upon the pomp and circumstance of kings, and the empty homage which is bestowed upon the exalted mortals whom accident, not merit, has placed upon the throne. Yet the exaggerated respect which monarchy inspires is a valuable bulwark against disorder, and though incapable of support on strictly rational grounds forms a barrier against political unrest unknown to a republic."[1] But even Taylor says, "It is impossible to doubt that some form of democratic government is the government of the future." Another very recent English writer, Wallace, devotes an entire volume, in ponderous style, to demonstrating that "We have not yet thoroughly awakened to the fact that a democratic age is essentially one of degradation, yet historical research warrants our making the assertion that an era of democracy is the concluding stage that marks the decay of a given civilization."[2] These writers certainly have earned a title. On the other hand, Brown, another recent English writer, points out that "In the early nineteenth century, the democratic form of government was practically confined to a few communities on the eastern shores of the United States. In the early twentieth century, more than fifty countries, containing in all more than a quarter of the population of the globe, possess constitutional governments, in which taxation and legislation are controlled by the people or their representatives." And yet, he continues, "When I look at the horizon of the future I see the dark menace of grave dangers which are rapidly taking shape. I see a great people passing through strange ordeals, which will put its intelligence and its virtue to tests so severe that the ultimate issue is impossible to foretell. And I turn from this vision of the future to ask what the citizens of today are doing to prepare themselves to cope with the problems that lie before them — problems that will demand clear heads as well as loyal hearts, enlightened statesmanship no less than reforming zeal. I ask a question: the answer I leave to the judgment of the

reader." [1] Matthew Arnold wrote, "To us, too, the future of the United States is of incalculable importance. Already we feel their influence much, and we shall feel it more. We have a good deal to learn from them; we shall find in them, also, many things to beware of many points in which it is to be hoped our democracy may not be like theirs. "As our country becomes more democratic, the malady here may no longer be that we have an upper class materialized, a middle class vulgarized, and a lower class brutalized." [2] John Galsworthy, an intelligent English writer, said in 1919, "Democracy is certainly inferior to autocracy from the aggressively national point of view; it is not necessarily superior to autocracy as a guarantee of general well-being; it might even turn out to be inferior unless we can improve it. But democracy is the rising tide; it may be dammed or delayed but cannot be stopped. It seems to be a law in human nature that where, in any corporate society, the idea of self-government sets foot it refuses ever to take that foot up again. State after State, copying the American example, has adopted the democratic principle; and the world's face is that way set. Autocracy has, practically speaking, vanished from the western world. It is my belief that only in a world thus uniform in its principles of government, and freed from the danger of pounce by autocracies, have States any chance to develop the individual conscience to a point which shall make democracy proof against anarchy, and themselves proof against dissolution." [3]

"The Great Experiment" has not yet been finished. If it fails, the world goes backward. As Bryce says, "If ever those moral forces which have led more than a hundred millions of men, filling a vast continent, to obey that common will which they have provided peaceful means for ascertaining, if ever these forces that have created and preserved the sense of common duty and common interest, should show signs of decay, what hope would remain for the world?" [4] It is true that the American form of government has been followed in France, Switzerland, Central

and South America, China, Portugal, Austria, and Germany, and has revolutionized the basis of the British government itself. But law and order have not always followed the American example. Russia shows what an unbridled democracy leads to. The Central and South American republics are the sport of irresponsible revolutionists. Mexico shows how a republic is impossible with an ignorant and poverty-stricken people. China is in chaos. Jacks, an English writer, says with great force, "Never is self-government so fatally misconstrued as when we thus represent it as a short and easy cut to the land of our dreams. It were truer to define it as government of the valiant, by the valiant, for the valiant, 'having a fire on the right hand and on the left a deep water' — the best government for the strong, the loyal, and the hard-working, but the worst possible for the weak, the mutinous, the predatory, the self-indulgent, and the slack." [1]

Not only is the reliability of the republican form of government still assailed but the civilizing effect of that kind of government is denied. Godkin, himself a defender of democracy, summarizes candidly the arguments against it as follows, namely, that "It is fatal in the long run to any high degree of excellence in the arts, science, literature, or statesmanship; that it is hostile to every form of distinction, and thus tends to extinguish the nobler kinds of ambition, to create and perpetuate mediocrity, to offer a serious bar to progress, and even to threaten civilization with stagnation; that, by making equality of conditions the highest political good, it makes civil liberty appear valuable only so long or so far as its existence is compatible with equality; that it converts the ideal of the worst trained and most unthinking portion of the community into the national standard of capacity, and thus drives the ablest men out of public life; that it sets up mere success in the accumulation of money as the proof and test of national prosperity, and elevates material luxury into the great end of social progress; that it takes from manners all their grace and polish and dignity, makes literature feeble and

tawdry, and oratory bombastic and violent; that it infuses bitterness into party struggles, while removing the barriers which in aristocratic societies soften and restrain its expression; and, finally, that, by the pains it takes to preserve the equality of conditions, it forces every member of the community to engage as soon as he reaches manhood in an eager scramble for wealth, thus rendering impossible the existence of a class with sufficient leisure to devote themselves to the cultivation of the arts and sciences, or to speculative inquiry in any field of knowledge." [1]

Democracy wrathfully replies that kings and aristocracies have contributed very little to civilization; that the great men and great movements and great religions in all ages have sprung from the plain people; that kings and aristocracies are noted chiefly for deeds of blood, spoliation, conquest, oppression, and for preying on the people; that the storms of democracy clear the air and that the French Deputy from the tribune was right when he said, "March without the people and you march into night: their instincts are a finger-pointing of Providence." [2] Godkin, himself, says: "We owe to the Roman aristocracy the great fabric of Roman jurisprudence; but, since their time, what has any aristocracy done for art and literature, or law?" [3] Fisher Ames, as cited by Emerson, said that "a monarchy is a merchantman, which sails well, but will sometime strike on a rock and go to the bottom; whilst a republic is a raft, which would never sink, but then your feet are always in water." [4] Bryce in his "American Commonwealth" discussed democracy, and his views are summarized in the note hereto.[5] Coit, an English writer of American birth, says, "The great problem becomes simply this: Are the best less likely to govern if the people select them than if the people have no voice in saying who the few shall be that are to govern? In answer, one may fairly say that the few, chosen by a comparatively illiterate and sordid public, are not liable to be worse servants of the people than any self-appointed few would be who were not subject to efficient censure

by the people. The haughty prejudice of a highly-educated and gifted, but irresponsible, class is as apt to blind its members as to who would serve the state best as ever the sordid ignorance of the masses themselves could be. But when the people have as much leisure, education, and wealth distributed among them as had the American colonists in 1776, and the new voters of England in 1832, we may safely say that they have reached a point where the 'few' whom they will choose will be the best. Even more may be claimed for democracy." [1]

A democracy makes grievous mistakes and at times misgoverns but it corrects itself and there is no revolution. The public changes things in its own interest. Under an absolute monarchy or aristocracy the plain people cannot protect themselves. Furthermore a democracy is self-recuperating. As Senator Hoar of Massachusetts well said, "You and I are Republicans. You and I are men of the North. Most of us are Protestants in religion. We are men of native birth. Yet if every Republican were today to fall in his place, . . . I believe our countrymen of the other party, in spite of what we deem their errors, would take the Republic and bear on the flag to liberty and glory. I believe if every Protestant were to be stricken down by a lightning-stroke, that our brethren of the Catholic faith would still carry on the Republic in the spirit of a true and liberal freedom. I believe if every man of native birth within our borders were to die this day, the men of foreign birth, who have come here to seek homes and liberty under the shadow of the Republic, would carry it on in God's appointed way. I believe if every man of the North were to die, the new and chastened South, with the virtues it has cherished from the beginning, of love of home and love of State, and love of freedom, with its courage and its constancy, would take the country and bear it on to the achievement of its lofty destiny. . . . Of course there would be mistakes. Of course there would be disappointments and grievous errors. Of course there would be many things for which the lovers of liberty would

mourn. But America would survive them all, and the nation our fathers planted would endure in perennial life." [1]

The mission of the American nation is to demonstrate that a people can govern itself. That is the warp and woof of American life. When that principle of self-government is endangered, it rouses to action the dormant fierce nature of the nation, whether the menace comes from rebellion, capital, labor, European war, or European communism. Instinctively and intuitively the American people respond to the call that the republic is in danger. This is a fundamental characteristic that underlies the American nation and will tolerate no dissent. Privileged aristocracies, monarchies, feudal chiefs, ancient and medieval conquering cities, princes with unlimited power over vassals or subjects, have filled the pages of history and some still survive. But they are becoming effete and parasitic anachronisms. This is due to the "Great Experiment" in America. Emerson says, "Our political constitution is the hope of the world." [2] John Bright said in the midst of the American War of the Rebellion, "Privilege thinks it has a great interest in the American contest, and every morning, with blatant voice, it comes into our streets and curses the American Republic. Privilege has beheld an afflicting spectacle for many years past. It has beheld thirty millions of men happy and prosperous, without emperors — without kings — without the surroundings of a court — without nobles, except such as are made by eminence in intellect and virtue — without State bishops and State priests, those venders of the love that works salvation — without great armies and great navies — without a great debt and great taxes — and Privilege has shuddered at what might happen to old Europe if this great experiment should succeed." [3] Charles Francis Adams, the elder, when Minister of the United States to Great Britain, wrote from London in 1862, in the midst of the hostile spirit of the ruling class of England during our Civil War, when they wished the South to succeed: "The true division now begins to make itself perceptible here as elsewhere

in Europe — the party of the old and of the new, of vested rights and of well regulated freedom. All equally see in the convulsion in America an era in the history of the world, out of which must come in the end a general recognition of the right of mankind to the produce of their labor and the pursuit of happiness." [1]

A republic is the culmination of civilized government. It is not a recovery of mystical lost liberties of the plain man. The assumption by Rousseau that man in his native state had more real liberty than under civilization has been exploded. Equally so Locke's theory that government is a compact. By evolution in the course of centuries a few races qualified themselves for self-government. It was a long, hard struggle to establish that form of government. It led to the American republic. It remains to be seen whether the centrifugal forces render a republic impossible even in the most civilized nation. Professor Sumner of Yale said, "The government of a Roman Emperor, a Czar, a Sultan, or a Napoleon, has been only a raid of a lot of hungry sycophants upon the subject mass; the aristocracy of Venice and other city states has been only a plutocratic oligarchy, using the state as a means of its own selfish ends; democracy has never yet been tried enough to know what it will do, but with Jacobinism, communism, and social democracy lying in wait for it on one side, and plutocracy on the other, its promise is not greater than that of the old forms. It remains to be proved that democracy possesses any stability and that it can guarantee rights." [2] Brown, an English writer, says: "Ultimately the success of democracy depends upon the stuff we are made of: that fact must be kept in mind relentlessly." [3]

> "Does the road wind uphill all the way?
> Yes, to the very end,
> Will the day's journey take the whole long day?
> From morn to night, my friend." [4]

Lord Acton wrote, "It was from America that the plain ideas that men ought to mind their own business, and that the nation

is responsible to Heaven for the acts of the State, — ideas long locked in the breast of solitary thinkers, and hidden among Latin folios, — burst forth like a conqueror upon the world they were destined to transform, under the title of the Rights of Man. Whether the British legislature had a constitutional right to tax a subject colony was hard to say, by the letter of the law. The general presumption was immense on the side of authority; and the world believed that the will of the constituted ruler ought to be supreme, and not the will of the subject people. Very few bold writers went so far as to say that lawful power may be resisted in cases of extreme necessity. But the colonisers of America, who had gone forth not in search of gain, but to escape from laws under which other Englishmen were content to live, were so sensitive even to appearances that the Blue Laws of Connecticut forbade men to walk to church within ten feet of their wives. And the proposed tax, of only £12,000 a year, might have been easily borne. But the reasons why Edward I. and his Council were not allowed to tax England were reasons why George III. and his Parliament should not tax America. The dispute involved a principle, namely, the right of controlling government. Furthermore, it involved the conclusion that the Parliament brought together by a derisive election had no just right over the unrepresented nation, and it called on the people of England to take back its power. Our best statesmen saw that whatever might be the law, the rights of the nation were at stake. Chatham, in speeches better remembered than any that have been delivered in Parliament, exhorted America to be firm. Lord Camden, the late Chancellor, said: 'Taxation and representation are inseparably united. God hath joined them. No British Parliament can separate them.' From the elements of that crisis Burke built up the noblest political philosophy in the world. 'I do not know the method,' said he, 'of drawing up an indictment against a whole people. The natural rights of mankind are indeed sacred things, and if any public measure is proved

mischievously to affect them, the objection ought to be fatal to that measure, even if no charter at all could be set up against it. Only a sovereign reason, paramount to all forms of legislation and administration, should dictate.' In this way, just a hundred years ago, the opportune reticence, the politic hesitancy of European statesmanship, was at last broken down; and the principle gained ground, that a nation can never abandon its fate to an authority it cannot control. The Americans placed it at the foundation of their new government. They did more; for having subjected all civil authorities to the popular will, they surrounded the popular will with restrictions that the British legislature would not endure."[1] Archbishop Ireland in an address at the unveiling of the statue of Lafayette in Paris, July 4, 1900, said: "America rose in rebellion against arbitrary and absolute government; she unsheathed the sword in the name of the rights of man and of the citizen. . . . The creation of the Republic of the United States was the inauguration of a new era in the life of the human race — the era of the rights of manhood and of citizenship and of the rights of the people."

In the wide sweep of European history during the past two thousand years the gradual evolution of democracy is clear. When the despotic Roman Empire fell in 476 A.D., Roman institutions survived; partly in the theocratic despotism of the rising Catholic Church; partly in the lawless Gallic and Nordic nobles of the north. That was the feudal system. Liberty of the plain people was unknown. Then came absolute monarchies, defying the church and hammering down the nobles. Real liberty was still unknown. Then came democracy inaugurated by America in 1776. It spread throughout the world and when Germany tried to turn back the wheels of time, monarchy in Germany, Austria, and Russia went down with a crash. Democracy has released the energies of man and led to progress and a higher civilization. Will it last or will it again lead to Cæsarism and Bonapartism? Americans believe it will last. They believe it is

an evolution in government and that a divine purpose is unfolding itself. As Tennyson said,

> "Yet I doubt not through the ages one increasing purpose runs.
> And the thoughts of men are widened by the process of the suns." [1]

Americans are proud of their institutions and nationality. The time has gone by when an American when abroad referred to himself as a citizen of New York or of Massachusetts or of Virginia or of Pennsylvania or any other state. Judge Brewer of the Supreme Court well said, "In the days of the Cæsars 'I am a Roman citizen' was a proud, exultant declaration. It was protection. It was more; it was honor and glory. Twenty centuries of advancing civilization have given to the declaration 'I am an American citizen' a higher and a nobler place. It stands today in the forefront of earthly titles. It proclaims a sharing in the greatest opportunities. It is a trumpet-call to the highest fidelity. It is the diploma of the world, the highest which humanity has to bestow." [2] Americans did not have this pride of nationality at once after the Revolutionary War. It has been of slow growth, and it was not until the war of 1812 that the East, South, and West were fused into one. The light of the blazing city of Washington, fired by the British; the battles of Perry and Macdonough on the lakes and of American ships on the sea; the intrepid figure of Jackson at New Orleans — transformed the American people into a nation. Notwithstanding the mental anguish of Gallatin, one of the ablest of Americans, at the military disasters of that war, he wrote in 1816, "Under our former system we were becoming too selfish, too much attached exclusively to the acquisition of wealth, above all, too much confined in our political feelings to local and State objects. The war has renewed and reinstated the national feelings and character which the Revolution had given, and which were daily lessened. The people have now more general objects of attachment with which their pride and political opinions are connected. They are more

Americans; they feel and act more as a nation, and I hope that the permanency of the Union is thereby better secured." [1] As Henry Adams says, "In 1815 for the first time Americans ceased to doubt the path they were to follow. . . . American character was formed if not fixed." [2] By 1815, says Professor E. D. Adams, "there had arisen a belief in national destiny, a sense of remoteness from older nations and older customs, a consciousness of a separate and distinct existence for America, in short, an ideal of unity and of nationality." [3] And the spirit grew. President Andrew Jackson looked Calhoun full in the face at a banquet and gave the toast, "Our Federal Union. It must and shall be preserved," and Calhoun is said to have turned pale.[4] Jackson wrote his Secretary of State in 1832 in regard to preparing the Nullification Proclamation, "The Union must be preserved, without blood if this is possible; but it must be preserved at all hazards and at any price." [5] Years later Webster in his debate with Hayne expressed the dominating spirit of the nation when he exclaimed, "Liberty and *Union*, now and forever, one and inseparable." Later still the Civil War solidified the nation. Later still American armies swept over Europe to preserve the liberties of the world.[6]

"The Great Experiment" so far has succeeded. The American form of government is the oldest now existing in the civilized world. In England the King has been reduced to a social leader and most of the masses have been given a vote. In continental Europe republic has succeeded republic in one country after another and the vestiges of the Middle Ages have been swept away by the World War. Even China and Japan have been revolutionized. The time has come to appraise anew American institutions; to search for the secret of their success, and ponder over the dangers and safeguards of the republic.

CHAPTER II

WHAT ARE "AMERICAN INSTITUTIONS"?

THE weakness and worthlessness of the first American government — a Confederation — from 1777 to 1787[1] confirmed Europe in its disbelief in popular sovereignty. And even when the American Constitution of 1787 was formulated and adopted, yet inasmuch as it gave all governmental power to the people acting through representatives and without king or nobles, Europe continued to look upon the innovation with scorn and contempt. That scorn and contempt has disappeared because America now has the least troubles of all.

This new form of government in America differed from all previous governments in certain fundamental respects, and those differences constitute largely what are known as "American Institutions." Those institutions Americans will fight for now and hereafter against internal or external foes. They may be summarized as follows:

(1) A written constitution.
(2) Popular sovereignty and a republic.
(3) Universal suffrage.
(4) A division of sovereign powers into federal and state.
(5) A supreme court with power to declare statutes void.
(6) Separation of the executive from the legislative branch of the government.
(7) Universal common schools.
(8) Town meeting.
(9) Separation of the church from the state.
(10) Equality of opportunity.

The European question, what America amounts to other than wealth, is answered by these ten American institutions and by the further answer that Europe itself has originated no fundamental new institutions during the past one hundred and fifty years, but has merely followed and applied these American institutions. Furthermore, the American reveres these institutions, not only because they are his, but also because he believes they safeguard his liberty and personal independence better than by a monarch, nobility, or privileged class of any kind. Liberty and personal independence are weighty words. The world's history revolves around them. Individual liberty means the right to do as one likes, limited only by the equal rights of others. It includes religious liberty; security of the person, dwelling, and papers; liberty to work and contract and the protection of that right; liberty from illegal arrest; equality of opportunity; equal protection of the law; due process of law; protection of one's own property. It has taken thousands of years of the world's history to establish these rights. There have been many definitions of "liberty," and in fact they are found throughout history. Professor Sumner of Yale, as the result of a lifetime of study, reached the following conclusion: "If we try to formulate a true definition of civil liberty as an ideal thing towards which the development of political institutions is all the time tending, it would be this: Civil liberty is the status of the man who is guaranteed by law and civil institutions the exclusive employment of all his own powers for his own welfare." [1] President Eliot said that "thoughtful democracy of today accepts absolutely Louis Pasteur's definition of freedom — a state in which every one is permitted to develop freely and to apply his utmost powers." [2]

And secondly, the form of government best fitted to protect these rights has baffled the wisdom of ages. Are they protected best by absolute monarchy, constitutional monarchy, aristocracy, or popular sovereignty? As stated above, the European world

in 1776 believed only monarchy could give good government, and that belief favored absolute monarchy. Europe had drifted away from constitutional monarchy where the King was held in check by a legislature or constitution or independent aristocracy. Then came America, and by new American institutions established popular sovereignty, reacting on Europe itself.

(1) *A Written Constitution.* The American Constitution is the first written constitution in the history of the world that has protected the fundamental rights and liberties of man, enumerated above, against the encroachments of the legislative, executive, or judicial departments of government or of all three combined. The framers of the Constitution were as fearful of an unbridled democracy — the absolute rule of the majority — as they were of an unbridled monarchy or aristocracy. An unbridled legislature or executive leads to monarchy. Chief Justice Taft says the Americans "saw a possible tyranny in a majority in popular government quite as dangerous as the despotism of kings and they prepared a written constitution intended to preserve individual rights against its exercise. It is this fundamental law of popular self-restraint that has aroused the admiration of the world, has commanded the praise of those historians who have studied governments, and has led them to the conclusion that it was this that has given such stability and success to the American nation. Lord Acton, one of the greatest historical authorities of any age, in speaking of the Constitution of the United States, said: 'It established a pure democracy, but it was democracy, in its highest perfection, armed and vigilant, less against aristocracy and monarchy than against its own weakness and excess. Whilst England was admired for the safeguards with which, in the course of many centuries, it had fortified liberty against the power of the crown, America appeared still more worthy of admiration for the safeguards which, in the deliberations of a single memorable year, it had set up against the powers of its own sovereign people. It resembled no other known democracy, for it respected

freedom, authority, and law. It resembled no other constitution, for it was contained in half a dozen intelligible articles. Ancient Europe opened its mind to two new ideas — that revolution with very little provocation may be just and that democracy in very large dimensions may be safe.'" [1]

The American Constitution is the greatest of all American institutions. It has withstood all assaults, even those of war. It has been copied in different parts of the world. It is an American creation and has been extraordinarily successful. It still has to defend itself against theorists, revolutionizers, "uplift" sociologists, socialists, and red flaggers. It is abused by those who would reform the country by legislation. It is not understood by newcomers and is attacked by others. It is enshrined, however, in the hearts of the American people and will last while they last. Nor is it a copy of the British Constitution. Its main and fundamental features are original, as will be shown in the following pages. It arose from the sturdy and independent character of the people themselves of all thirteen colonies, each having its own provincial institutions and each familiar with their workings. It was and is the finished product of the greatest group of constructive statesmen ever assembled at any time or any place. As Lord Bryce says, "It was a most extraordinary body of men that gathered together one hundred and twenty-five years ago to frame the Constitution of the United States. Never did such a group of brilliant and powerful intellects, men trained by an experience of affairs, assemble together for so great an undertaking as the framing of the Constitution for a nation." [2] Hugh McCulloch, Secretary of the Treasury under three administrations, says: "The Constitution of the United States, considering the circumstances in which it was formed and the purposes which it accomplished, may be regarded as a work of consummate wisdom, approaching more nearly to divine inspiration than any work of human hands." [3] Gladstone says: "The American Constitution is the most wonderful work ever struck off

at a given time by the brain and purpose of man." [1] Bryce also said, "The Constitution of the United States, drafted in 1787 and set to work in 1789, may be deemed the greatest single contribution ever made to Government as an applied science." [2] Lord Brougham says our Supreme Court "is the very greatest refinement in social policy to which any state of circumstances has ever given rise, or to which any age has ever given birth." [3]

The British had not then and have not now any such protection. Their Constitution is unwritten. As Judge Cooley says, "The weakness of an unwritten constitution consists in this, that it is subject to perpetual change at the will of the law-making power; and there can be no security against such change except in the conservatism of the law-making authority, and its political responsibility to the people, or, if no such responsibility exists, then in the fear of resistance by force." [4] The American Constitution, on the contrary, is an impenetrable fortress guarding at the gates the rights of man. It is distinctively American.

Fiske says that the constitution of Connecticut in 1639 was the first written constitution in the history of the world. More correctly, however, the "Encyclopædia Britannica" says that the Pilgrims on the *Mayflower* in November, 1620, "drew up and signed before landing a democratic compact of government which is accounted the earliest written constitution in history." [5] Senator Hoar also says that the Mayflower Compact was "the first written Constitution in history." [6] Breckinridge Long takes the same view when he says of the Pilgrim Covenant: "This was the first constitution in America. It was inaugurated and adopted by a body of individuals, of their own free will, to define and initiate a plan of government and to legalize the operation of the organs thereby created. It did not define the plan of government with any nicety but its definition was sufficient to give local sanction to the institution and operation of the organs created. It is not a product of a master statesman. It is a very simple statement of a plan." [7] This compact of the Pilgrims signed on board

the *Mayflower* on November 11, 1620, combined the signers "into a civill body politick . . . to enacte, constitute and frame such just and equall, ordinances, acts, constitutions, and offices, from time to time, as shall be thought most meete . . . unto which we promise all due submission and obedience." That was a written constitution. True, it was a pure democracy, the signers being the legislature and judiciary as a matter of course, and they proceeded to elect an executive, a Governor, but it embraced all powers and departments of government. The later written constitutions merely divided, defined, and limited those powers and departments. For eighteen years that was the Pilgrim's only government. The members constituted the legislature and were frequently convened to decide also executive and judicial questions. It was a pure democracy, but later as the colony spread the representative system was found necessary. It led the way to the American system of written constitutions. It did not attempt, however, to define the rights of man and hence was only the germ of the American Constitution. But it was thought out, written, and signed five years before the Petition of Right (a statute); 30 years before the "Agreement of the People," which was too liberal even for Cromwell; 69 years before the Bill of Rights (a statute); 70 years before Locke's "Treatises on Government"; 128 years before Montesquieu's "Spirit of the Laws," and 142 years before Rousseau's "Contrat Social." The Dutch Union of Utrecht of 1579 was not a constitution.*

A written constitution is an American institution. It is without precedent in the history of the world and every American is and has a right to be proud of it. It protects him, his life, liberty, and property, against the state and even against a majority of his fellow citizens. Without it America would not be America.

(2) *Popular Sovereignty and a Republic.* Cooley says: "In America the leading principle of constitutional liberty has from

* See p. 121, *infra.*

the first been, that the sovereignty reposed in the people."[1] Popular sovereignty existed in the Greek cities, but there the laws were made by the people direct and that system was possible only where the population was small. The republican form of government was not known. Here again Cooley says, "By republican government is understood a government by representatives chosen by the people; and it contrasts on one side with a democracy, in which the people or community as an organized whole wield sovereign powers of government, and on the other with the rule of one man, as king, emperor, czar, or sultan, or with that of one class of men, as an aristocracy."[2] Rome knew of the representative system,[3] but did not adopt it, probably because the representatives from outside would outnumber those from Rome itself. The result was that Rome became an unregenerate mob, incapable of governing the republic or repelling its enemies. Switzerland had the representative plan on a narrow basis, but the country was small and was no test of a republic on a gigantic and uniform scale. Holland had had some features of a republic, but by 1776 it had gone back practically to monarchy. England had a representative system, but it was a "rotten borough" system and not popular sovereignty. Hence when in 1787 America boldly proclaimed and established popular sovereignty in the form of a republic, and when in fact the astonishing Constitution expressly guaranteed to every one of its States "a republican form of government" — an American institution had arisen, popular sovereignty by a republic, not an unbridled democracy, not an uncontrolled rule by the majority, but a majority controlled by a constitution. Judge Cooley here says, "So far then from the government being based on unlimited confidence in majorities, a profound distrust of the discretion, equity and justice of their rule is made evident in many precautions and checks, and the majority is in fact trusted with power only so far as is absolutely essential to the working of republican institutions."[4] As stated above, Lord Acton, the great

historian, said: "Whilst England was admired for the safeguards with which, in the course of many centuries, it had fortified liberty against the power of the crown, America appeared still more worthy of admiration for the safeguards which, in the deliberations of a single memorable year, it had set up against the power of its own sovereign people." [1] John Adams summarized the curbs very well and his summary is stated by Cooley as follows:

"First, the States are balanced against the general government. Second, the House of Representatives is balanced against the Senate, and the Senate against the House. Third, the executive authority is in some degree balanced against the legislature. Fourth, the judiciary is balanced against the legislature, the executive, and the state governments. Fifth, the Senate is balanced against the President in all appointments to office, and in all treaties. Sixth, the people hold in their own hands the balance against their own representatives by periodical elections. Seventh, the legislatures of the several States are balanced against the Senate by sexennial elections." [2]

There is another check and balance, the greatest of all, namely, the public sentiment of an intelligent and conservative people. This is not created nor disturbed by tumultuous gatherings, as in the ancient Greek city democracies. And even those Greek democracies were not so bad as painted. Sidgwick, a believer in monarchy, says that in democracy on the whole there has been "a remarkable maintenance of liberty in the strict sense of individual liberty," and he proceeds to say that "'The tyranny of the majority' * which seemed to Tocqueville and Mill so important a danger of the coming democracy of Europe, certainly does not appear as a marked characteristic of the Demos of Athens." [3] As to the charge that in Greece the rich were oppressed with unequal taxation and plundered by prosecutions, he says this may have been true, but "there is no sign that it went to such an extent as to scare rich men away from Athens, and interfere with its commercial and industrial prosperity." [4] He says the practice of throwing extra tax burdens on the rich

* See ch. XXIX; also pp. 507, 520, 524, 525, 547.

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was old and there is no sign that it was made worse by extreme democracy. The corruption and tyrannous misconduct of office-holders certainly existed, but he doubts "whether it was in any degree a *distinctive* feature of democracy."

From the American Revolution up to 1828 the republic was governed by the wealthy and well born. With Jackson the plain people swept to power, especially with the "spoils system." Plain democracy rose to the emergency of the Civil War and later the World War. But the difficulties and dangers of plain democracy are still with us. Is it to be the rule of character or the rule of the mob? Are the constitutional rights of minorities, of personal individuality, of private property, of liberty of action, of independence of character, to be preserved or are they to perish? American democracy is grappling with those problems today. On their solution depends democracy throughout the world. Personally I have faith, but there are many doubters in America as well as Europe. In addition to the usual difficulties of rule by the plain people, there is the vast industrial development, city *blocs*, inordinate wealth, socialistic ideas, race differences and rapid increase of city population, and they all are a menace. But plain democracy seems to have a wonderful power of meeting difficulties.

The whole world acknowledges that a successful republic in a vast country is an American institution and the whole world has been and is copying it. For weal or for woe it is here to succeed or fail. To America all eyes turn to see what we do with it. If we fail, the world goes backward. If we succeed, the glory will be that of America and America alone.

(3) *Universal Suffrage.* Professor Holcombe says that in the 18th century "Not one man in a hundred in Great Britain voted for members of Parliament, and elections came only after long intervals."[1] In 1780 out of between seven and eight millions of inhabitants of England and Wales only 214,000 had the right to vote and 6000 of them were able to elect a majority of the

House of Commons, by reason of the "rotten boroughs." Adams says, "During the eighteenth century not only did not one Englishman in fifty possess a vote, but from 1701 until after the American Revolution there was not a single general election held to decide a public question." [1] Brooks Adams says, "By the time of the American War the oligarchy had become so narrow that one hundred and fifty-four peers and commoners returned three hundred and seven members, or much more than a majority of the House as then organized." [2]

Neither did the American colonies give every man a vote. Property qualifications existed in all thirteen colonies and in addition a religious qualification in some of them.[3] But after the Revolution universal suffrage gradually was adopted, excepting as to the negro, who was excluded in all of the states except New York and the New England states, other than Connecticut. The Western states particularly were free in granting every man a vote. The East started the movement; Vermont in 1785; New Hampshire and Kentucky in 1792; Tennessee in 1796; Georgia in 1798; Maryland in 1810; Indiana in 1816; Maine in 1819, and New York in 1826. After 1817 no state came into the Union with a property or tax-paying restriction on voting. Europe with slow and halting foot and against great opposition has followed. In England in 1832 the franchise was given to the middle classes, and in 1867 and 1885 to the great bulk of the people on a household basis; in Germany in 1867 and 1871; in Spain from 1869 to 1877 and reëstablished in 1890; in Belgium in 1894; in France in 1848; in Italy in 1881 and 1888; in Holland in 1848 and 1896 with some restrictions.

So also as to woman suffrage. America has led the way and all Europe will have to follow. The Western states in America first tried the experiment after New Jersey had abandoned it.[4] By 1918 thirteen states west of the Mississippi had given the vote to women, and two east of the Mississippi, namely, New York in 1917 and Michigan in 1918. Wyoming as a Territory gave

it in 1869 and as a State in 1890; Colorado in 1893; Idaho and Utah in 1896; Washington in 1910; California in 1911; Kansas, Oregon, Nevada, and Arizona in 1912; South Dakota in 1913, and Montana in 1914. In 1920 the Amendment to the Constitution was passed whereby "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex." Meantime in England in 1917 women were granted the franchise and 6,000,000 women thereby became entitled to vote, and in 1918 they were granted the right to sit in Parliament. Denmark granted woman suffrage in 1915; Norway in 1907; Finland in 1905.

This American institution of universal franchise is better known in Europe than all other American institutions combined. It has revolutionized Europe and Asia. It is the dawn of a new civilization. Whether that civilization can survive industrialism is a problem for America to solve. Universal suffrage certainly has broken down the political and social barriers erected by power-holding classes in the past. It has produced the stupendous economic results which now, however, bid fair to be a Frankenstein. It has not always worked well in governing cities where most of the problems are business problems, nor has it worked at all in the South where the negro was given the ballot, now practically eliminated by confining the vote to those who can read and understand the Constitution. The terrible mistake of the Reconstruction was giving the negro the ballot. Lincoln never would have done it, except to the well qualified. Three days before his death Lincoln said in an address: "It is unsatisfactory to some that the elective franchise is not given to the colored man. I would prefer that it were now conferred on the very intelligent. . . . No exclusive and inflexible plan can safely be prescribed as to details. . . . Such exclusive and inflexible plan would surely become a new entanglement." The mistake of giving all negroes a vote has been partially remedied, but the South is afraid of what the North may do and so we

have the "solid South." This negro question is considered further elsewhere.*

Not alone in the South has a restriction of the franchise been found necessary. The vast rush of ignorant immigrants into the North — immigrants who have not the slightest conception of the purpose and responsibility of the ballot — has forced thought of how to preserve American institutions from as well as for ignorant voters. Massachusetts led the way in 1857. The South was justified in applying it to the negro. Nineteen of the forty-eight states now have a literacy test for voters.[1] The application of these statutes will decrease as the public schools increase. The pendulum may swing back to a small property qualification, personal or real. This subject is too fundamental to be lightly dismissed. The difficulty is to preserve the immense advantages of universal suffrage and yet ward off the attacks on other American institutions by unassimilated and almost unassimilative immigrants and their offspring — elements not encountered until recent years. Universal suffrage worked well before vast masses from Southern and Eastern Europe invaded our great cities. They do not and never will comprehend American institutions and yet they and their descendants threaten to outvote the Americans not only in cities but in some of the states. They are easily solidified into *blocs* and then impudently seek to rule. All this raises doubt whether universal suffrage is now wise. Certainly it is not with negroes in the South and the ignorant foreign-born vote in cities. The educational test does much but does not go far and gradually will be met and overcome by a very little learning and much manipulation. We may yet have to return to a small property qualification, such as prevails in England,[2] that country having repealed in 1430 the right of every free-holder to a vote.[3]

On the other hand, it has produced a distribution of wealth never before known and may be the means of a conservative

* See Chapter XV *infra*.

and gradual transformation of the economic structure, which all thinkers think about but which is the problem of the age. Certain it is that men and women with votes have less inclination to remedy wrongs by violence, revolution, and the establishment of a privileged ruling class, than men and women who have no remedy but violence. The danger is that such voting power may be used for spoliation of the rich, as predicted by Macaulay. There are no signs of it. And wealth is quite able to protect itself by its intelligence and the power of money. Meantime, Europe is willing that universal suffrage be considered an American institution and that America be held accountable for it, and America does not hesitate to accept that responsibility. Lack of faith in the plain people is as old as civilization itself. Where the intelligence and character of the people are low, as in Mexico, the lack of faith is justified; where high, as in the United States, unjustified. Yet even in the United States the vast inrush of unintelligent immigrants from southern and eastern Europe has disturbed the equilibrium. Unassimilated foreigners in the great cities, voting in huge *blocs*, are a menace. But the farmers, villagers, clerical classes and American employees far outnumber them, and if necessary will adopt drastic remedies to protect American institutions. The pessimists undervalue their fellow countrymen.[1]

(4) *A Division of Sovereign Powers into Federal and State.* Sovereign powers according to the European idea were indivisible. The power over internal affairs was considered inextricably bound up with power of war and peace and foreign relations. Professor Van Tyne says that Lord Mansfield in the House of Lords made an argument described as "so full, so learned, so logical, and in every respect so true that not an atom of doubt remained in the breasts of his hearers," proved by a "multitude of examples," that it was impossible to suppose two supreme legislatures and "impracticable to draw a line for bounding the authority of the British legislature."[2] Mansfield was a great

judge and jurist but not a great statesman. He lived long enough to see the Americans boldly do exactly that which he had declared impossible, namely, divide sovereign powers between Congress and the States. The Constitution gave part of sovereign powers to the new nation; the other part to remain with the separate States, each State by itself. The fact that sovereignty itself resides in the people in an American sense enables them to divide the sovereign powers between Nation and State and to change the distribution from time to time by amendment. As early as 1625 Grotius in his great work, The Law of War and Peace, said that "sovereignty, though in itself a unit and indivisible . . . may be divided in possession. . . . Many persons allege many inconveniences against such a two-headed sovereignty. But in political matters nothing is entirely free from inconvenience. And law is to be measured not according to what seems best to this or that person, but by the will of him who is the origin of law." [1]

This division of sovereign powers was something new in the world. It was and is distinctively an American institution — not English or French or German, medieval or ancient, but American. Cooley says: "In American constitutional law a peculiar system is established; the powers of sovereignty being classified, and some of them apportioned to the government of the United States for its exercise, while others are left with the States. Under this apportionment the nation is possessed of supreme, absolute, and uncontrollable power in respect to certain subjects throughout all the States, while the States have the like unqualified power, within their respective limits, in respect to other subjects." [2] All this was an experiment in government and so far has proved successful in the United States, although it took four years of civil war to establish it. That war succeeded because the armies of the North marched to battle with a crusader's faith that they were right — a right demonstrated by Webster in his argument with Hayne.[3] In 1830 John Quincy

Adams wrote in his Diary of Webster's argument: "It demolishes the whole fabric of Hayne's speech, so that it leaves scarcely the wreck to be seen." Three years later when Calhoun made his argument Adams wrote: "His learning is shallow, his mind argumentative, and his assumption of principle destitute of discernment. His insanity begins with his principles, from which his deductions are ingeniously drawn." [1] Some recent professorial historians say that Hayne was right and Webster wrong, and that the meaning of the Constitution was changed by the march of events. The lawyers know better. "We, the people" are not "We, the States," and the powers of the federal government are not dependent on the will of particular States.[2] Webster pointed out that if one or more states could nullify an act of Congress, that act would be in force in some states and not in others. Of course that would be destructive of all and any government. He also pointed out that the Constitution itself provides for the Supreme Court to decide whether Congress had passed an unconstitutional act.[3] Not a line of the Constitution justifies withdrawal or change except by amendment. Sovereignty is with the whole people and they parceled out powers between the States and the federal government. Once granted, no minority could withdraw or judge of what powers had been given. The Constitution created a nation with irrevocable powers unless revoked by amendment. If the framers of the Constitution and those who ratified it had believed it could be nullified by any State, it would never have been ratified at all. If it had been understood or assumed that a State might withdraw, that fact would have appeared in the arguments of the day. In fact, New York State in its convention at first proposed to reserve the right to withdraw from the Constitution, but Hamilton pointed out that if they accepted the Constitution at all, it was accepted forever. Hamilton told them, "The constitution requires an adoption *in toto* and *forever*. It has been so adopted by the other states." [4] The Kentucky Resolutions and the Hart-

ford Convention were an afterthought. Calhoun many years later claimed that a State could decide whether the Government had exceeded its powers and could nullify any excess. Marshall replied that the Supreme Court alone was to decide such a question. Jefferson Davis claimed that the States having voluntarily formed the Union, any one of them might withdraw, in other words, secede. Abraham Lincoln replied that the Union has the right of self-preservation and is as indestructible as the States. Argument failed. The one weak spot in the Constitution was submitted to the arbitrament of war and the federal idea prevailed.

This American federal idea differs from the federal idea in Europe.

Greece gave to the world the idea of a free, independent city, ruled by its own people. That was a priceless gift. But Greek cities never could combine into a permanent federal union and so they perished by the arms of Philip of Macedon at Chæroneia in 338 B.C. Grote points out as to the Greeks "that in respect to political sovereignty, complete disunion was among their most cherished principles. The only source of supreme authority to which a Greek felt respect and attachment was to be sought within the walls of his own city. Political disunion — sovereign authority within the city walls — thus formed a settled maxim in the Greek mind." [1]

Rome originated the idea of a federal government, but Rome went only part way. The federal principle is a division of sovereign powers; local governments supreme in local affairs, and a central government supreme in general affairs, such as foreign relations, war, commerce and interstate relations. The Roman republic conquered many nations and, in fact, practically all the conquests were by the republic and not by the later Roman Empire. Rome gave to the conquered nations Roman laws and the protection of Roman arms, and in return collected tribute. Rome originated and adopted the fixed policy of allowing its subject nations to continue their own religion and laws, except

so far as they conflicted with Roman policy. Rome always retained the power, however, of changing the laws of the subject nations and herein it fell short of a complete federal idea. The result was that in the conflict of factions in Rome itself, the Roman Governors (proconsuls) of the subject nations were almost independent and waged wars on their own account, and levied taxes and kept the proceeds, subject to the risk of impeachment at Rome if they went too far. There was chaos, and if the Cæsars had not succeeded, the civilized world would probably have crumbled to pieces and civilization itself been put back for centuries. The Roman federal idea lacked the self-preserving and self-recuperating element of local self-government, free from control of the central government, and nothing but despotic power held the Empire together for five hundred years after the termination of the republic.

Taylor, a late English writer, well says, "Those who form their political views upon *a priori* grounds — and they are the great majority — resent the very fact of the Roman Empire as a kind of monstrous creation, occupying a valuable site which would otherwise have been devoted to the erection of a noble political structure capable of giving the blessings of constitutional government to the whole world. There could be no greater delusion. The choice of the Romans was not between an improved republic and a degraded empire, but between an empire or no government at all. The ancient self-control had gone. Political passions and degraded appetites had broken loose which could never again be enchained by voluntary republican forms. Since liberty had failed, there was nothing left but to try repression: the only alternatives were absolute monarchy or ruin. To protest against a form of government which supplied that quality for lack of which the republic failed, namely, an efficient form of political control, is an idle and perverse judgment sustained for the most part by a deliberate determination to ignore the facts." [1]

England at first adopted the Roman federal idea and its faults. English colonies and conquered countries were administered for profit by the control of their exports, imports, and manufactures, and that led to the loss of the American colonies, and would have led to the loss of Canada if that policy had not been changed in 1840. Since then, England has *practically* adopted the full federal idea of local self-government, free from the interference of Parliament.

The United States in its Constitution of 1787 carried the federal idea to its logical conclusion by boldly dividing sovereign powers between the federal government and the States. Single sovereignty of the people became a dual sovereignty of the people. For instance, the people of New York State are sovereign as to their own State affairs; they share with all other people of the United States the sovereignty as to national affairs; they have nothing to do with the sovereignty of the people of another State as to that State's affairs.

Not only are the sovereign powers, which constituted the old-time state, divided in America between the federal government and the States, but in some instances a single power is divided; as, for instance, the power of taxation and the power over commerce. In the division of the sovereign power over commerce between the federal government and the States, the federal government is given power over interstate and international commerce, while the States retain power over intrastate commerce. Books have been written on this subject alone, and the subject has tested the resources of the bar and bench for over a hundred years.

This bewildering maze and labyrinth of constitutional law is something new in the world. It has supplanted the divine right of kings. It has arisen from the American dual sovereignty and is the guardian of that dual sovereignty. It has piloted the two ships of state, state and federal; otherwise they would have collided and sunk. Lord Acton, the great English

historian, has said of the Americans: "In practical politics they had solved with astonishing and unexampled success two problems which had hitherto baffled the capacity of the most enlightened nations: they had contrived a system of federal government which prodigiously increased the national power and yet respected local liberties and authorities; and they had founded it on the principle of equality, without surrendering the securities for property and freedom. I call their success unexampled, not because it is a forcible term, but because it exactly indicates the peculiar character of the history of the American Constitution, and its special significance for ourselves." [1] On another occasion he wrote of the Federal Constitution, that "by the development of the principle of Federalism, it has produced a community more powerful, more prosperous, more intelligent, and more free than any other which the world has seen." [2]

The Achæan League in Greece, the Confederation of Switzerland, and the Confederation of Holland, all had the germ of federalism, but it remained for America to apply it on a continental scale in the making of a great nation. As Sidgwick says: "Switzerland does not give the decisive model of federality; this is given by the United States of America." [3] Sidgwick also says: "We have in North America an impressive example of a political society maintaining internal peace over a region larger than Western Europe. I therefore think it not beyond the limits of a sober forecast to conjecture that some further integration may take place in the West European states; and if it should take place, it seems probable that the example of America will be followed, and that the new political aggregate will be formed on the basis of a federal polity. When we turn our gaze from the past to the future, an extension of federalism seems to me the most probable of the political prophecies relative to the form of government." [4] In fact, Europe has added little to the science of government during the past century excepting the English system of self-governing dependencies, and

even that follows and is developing into the American federal system.

Nor was this great achievement of America in originating the full federal idea confined to the original thirteen states. America gave it a marvelous elasticity. The door was opened wide for admitting new states and now we have forty-eight instead of the original thirteen. And the new have the same rights as the old; the same local independence; the same guaranties of life, liberty, and property; the same autonomy; and the same indomitable loyalty and belief in American institutions. All this taught the world how to expand with safety. Nothing like it is found elsewhere in history. Without it America could not have achieved its present greatness.

In other words, this division of sovereign powers between a central government and the states is an American institution. The indivisible sovereignty has been demonstrated to be divisible as to powers. The impossible has been shown to be possible.

(5) *A Supreme Court with Power to Declare Statutes Void.* The most striking and original American achievement was the establishment of the supremacy of the judiciary. Nowhere else in all history had this experiment in government been tried. Lord Brougham said of it, "The power of the Judiciary to prevent either the State Legislatures or Congress from overstepping the limits of the Constitution, is the very greatest refinement in social policy to which any state of circumstances has ever given rise, or to which any age has ever given birth." [1] That is why the Supreme Court of the United States is the greatest court that ever existed. Judge Rogers points out that this part of the Constitution is purely American and without precedent in history. He says, "There was no precedent in ancient or modern judicial history, before these cases were decided, which warranted a court in asserting such a principle, and it was difficult for men trained under the English system of jurisprudence to conceive the idea that a mere court should assume the preroga-

tive of setting aside a law enacted by the legislature and approved by the executive."[1] Martin Van Buren said, "There exists not upon this earth, and there never did exist, a judicial tribunal clothed with powers so various and so important" as the Supreme Court. Professor Burgess of Columbia University, after reviewing all governments, ancient and modern, demonstrates that the rights of man were and are protected against government usurpation for the first time by the Supreme Court of the United States.[2] Chief Justice Taft has well said: "The greatest advantage of our plan of government over every other is the character of the judicial power vested in the Supreme Court. The statesmen and historians of Europe look upon it with wonder and amazement, speak of it with profound approval, and regard it as the chief instrument in the maintenance of that self-restraint which the people of the United States have placed upon themselves and which has made this Government the admiration of intelligent critics the world over."[3] Judge Hughes summarized all this in 1928 when he said: "The Supreme Court of the United States is distinctly American in conception and function."[4] Lord Acton, the English historian, speaking of the French Constitution after the Revolution of 1789, said: "The characteristic safeguards of the American Government were rejected: Federalism, separation of Church and State, the Second Chamber, the political arbitration of the supreme judicial body. That which weakened the Executive was taken: that which restrained the Legislature was left."[5]

The Supreme Court, supreme in its intelligence, fearlessness, and impartiality, adjudicates subjects of the highest human interest and its power extends throughout the United States and from the Philippines to Porto Rico. It summons imperial States to its bar and it says to Congress and the Executive, "Thus far shalt thou go and no farther." It listens patiently to high and low, and its decisions, conscientiously considered and learnedly expressed, have the absolute confidence of the people. It is the

guardian of the rights and liberties of the people. Senator Borah in 1911 paid a just tribute to that court when he said, "I have often thought if there is a sacred spot on the face of God's footstool made so by the institutions of man it is in front of the tribunal where presides the Chief Justice of the United States. There you may take the poorest, the most unfortunate individual in the land and he is heard, heard, sir, as if he stood clothed with all the influence which wealth and friends could bestow. Though he stands there with every man's hand against him and every right denied, that tribunal throws about him the guaranties and protection of the Constitution, the fundamental law which the people have made for the protection of all, and he stands upon an equality with every other man in the land. Even though he be too impecunious to file a brief, with no less care will those painstaking and overworked and devoted men examine into and determine his cause. And if in the end judgment should be rendered in his favor, if need be the power of this Union will enforce its terms. Do we appreciate the worth of this tribunal and the great underlying principles which have made it what it is? Do we understand how this Government of ours without this steadying, stable, immovable tribunal of justice would go to pieces in a decade? A decade, Mr. President! Rather should we say to all practical effects it would depart in a night. Not a court beyond the possibility of error, not a court whose opinions are to be deemed above the reach of fair and honest criticism, but a court which, whether viewed as to the reach and scope and power of its jurisdiction or as to its influence and standing, its ability and learning, its dedication and consecration to the service of mankind, is the greatest tribunal for order and justice yet created among men." [1] Pinkney well said of that court, "Its position is upon the outer wall. . . . It forms the point at which our different systems of government meet in collision, when collision unhappily exists. . . . They [the judges] are, if I may so call them, the great arbitrators between contending sovereignties." [2] That was

said about a hundred years ago and is even more true now than then. Never before has a court been called upon to reconcile a division of sovereign powers; never before has a court had power to annul the statutes of forty-eight sovereign states and of a federal government. De Sumichrast, a recent English writer on America, says: "It is becoming plain that the deep Anglo-Saxon faith in the utility and reliability of the courts of justice as a preferable means of staying and destroying oppression, is part and parcel of the belief of the Nation. The courts are justifying the confidence reposed in them. They do so because, in part, public opinion is ranging itself on their side. . . . The tendency, growing happily stronger, is to have recourse to the courts rather than to additional legislation; to trust them, rather than the blind impulses of the mob. In a word, all omens, all signs point to the permanent establishment of the true reign of true justice in the country." [1] Calvin Coolidge, when Vice President, expressed the sentiments of the American people when he said of our Supreme Court: "It is that court which has stood as the guardian and protector of our form of government, the guarantee of the perpetuity of the Constitution, and above all the great champion of the freedom and the liberty of the people. No other known tribunal has ever been devised in which the people could put their faith and confidence, to which they could intrust their choicest treasure, with a like assurance that there it would be secure and safe. There is no power, no influence, great enough to sway its judgments. There is no petitioner humble enough to be denied the full protection of its great authority." [2]

The Supreme Court is the most unique of all American institutions. Never before have such powers been granted to a judicial tribunal. It is distinctively American. It has rendered a great republic possible. It is America's greatest contribution to civilization. While America lasts that court will last. Around it American institutions revolve.

(6) *Separation of the Executive from the Legislative Branch of the Government.* There never was in history such a complete independence of the legislative and executive branches of government and such complete separation of them, each with equal coördinate powers even as to constitutional questions, as were originated by and embodied in the American constitution. In fact, in 1776 the legislative branch had been submerged all over Europe. The King ruled and the legislative department, even where it existed, was but the tool of the King, the executive, in France, Prussia, Spain, Italy, Russia, and even England. And the American plan of clean-cut separation and independent existence of Congress and the President has been wonderfully successful. It is an American institution. In England there never has been and is not now any such separation and independence. From early times in England the King more or less dominated the advisory or legislative branch, until gradually and almost imperceptibly the House of Commons usurped the executive power. This was possible because the King was dependent on the House of Commons to vote annual taxes, and without taxes he could not exist. Hence when the King did things which the Commons did not like, the Commons cut off the supplies and the King had to surrender. Charles I refused to surrender and for many years did not even have a session of Parliament; so they cut off his head. James II, his brother, behaved so badly they drove him out. Gradually the "Cabinet" system arose, namely, the Executive Department became, not the King, but individuals chosen from the Commons and House of Lords, and if this Cabinet did things which the Commons did not like, the Cabinet had to resign and a new Cabinet was formed; without the election of a new Parliament if the new Cabinet could control a majority of the Commons, and with an election if the new Cabinet could not command such control. Either this or no taxes and supplies. Meantime the King did not become merely a drum major without a desperate struggle. After the experiences of Charles I

and James II the King fell back on bribery of the Commons and of the electorate, and also of the nobles who controlled the "rotten boroughs"; the bribe to the nobles being titles or offices; the bribe to the Commons being titles or money or offices; the bribe to the electorate being cash.[1] By these means, especially under Walpole as Premier in the beginning of the eighteenth century, and under George III, the King retained a great influence; so much so that George III really controlled the Commons and the Cabinet. Later this unity of control of executive and legislative departments swung in the opposite direction, until now the Commons control and have practically absorbed the executive department.

The Americans in framing their Constitution of 1787 wanted none of this. They were afraid of any combination of the legislative and executive departments as dangerous to liberty and the continuance of the Constitution itself.[2] Hence they separated those two departments by most decisive provisions. The President was elected in one way and served for a definite period — four years. Congress was elected in a different way and for a definite period — two years for the House and six years for the Senate. If Congress differs from the President (as it generally does), the differences are compromised or allowed to stand. No new election takes place by reason thereof, and the American people in fact are quite content that they should differ because thereby much legislation is avoided. Now the English system of electing a new Parliament whenever irreconcilable differences arise works very well in a compact and homogeneous country like England or in an agricultural country like Canada, but works badly in France by reason of the instability and rapid changes preventing continuity of policy, and would work still worse in the United States. "Whatever," says Bryce, "may be the merits of the British system for a nation which inhabits a comparatively small area, few will think that this system would suit a people more than twice as numerous, and occupying a territory more than fifty times as large." [3]

Hence the American system is emphatically an American institution and the Americans are content with it. If this country, with its vast extent, diverse interests, and 48 states, were liable to be faced at any time with upheaval of business, regular occupations, and regular life by the sudden election of a new Congress, the result would be serious. As it is, the country breathes a sigh of relief when Congress adjourns. America has no wish to have a Congressional election except at a fixed time when the disturbance is expected and provided for. More important still, the English system would give Congress the power practically to name and change the executive department, excepting the President. The American people are unwilling that the Cabinet should be controlled by Congress. Such a consolidation of the executive and legislative power would be highly dangerous in this country. Under the American system the people rely on the President and his Cabinet to check Congress, and rely on Congress to check the President, and have no wish to abolish those checks. The maneuvering, manipulations, intrigues, confusion, and turmoil of allowing the diverse interests of this vast nation to change the administration at any time would foment disorder, riot, and revolution. There are the Eastern states, conservative and rich; the Southern states, usually voting solidly by reason of the negro; the Central states, agricultural in sentiment and interest; the Pacific Coast states, with their own views of public policy; states mountainous; states mining; states grazing; each and every kind making new combinations, new *blocs*, new struggles to control or take part in control — all this would be a maelstrom which Americans decline to enter. Gusts of emotion and passion at times sweep over the American people, but the checks of the Constitution and the distance of a new election prevent hasty action until the people with full knowledge and calm consideration decide what shall be done, and then they are almost invariably right. Professor Becker of Cornell well says: "The federal system, with its checks and balances, although it often seems

rather slow and clumsy, is nevertheless pretty well adapted to this large and diverse country in which the formation of a national opinion is a low and often a clumsy process. It is often said that the government of Great Britain responds much more quickly to the pressure of public opinion than the government of the United States does. This is perhaps true, but it is not so true as it seems to be. What seems to be a more ready response to public opinion is often only a more rapid formation of public opinion itself. England is a small country — about the size of the state of Kansas. The political and industrial and intellectual life of the nation centers in London, where the government sits. The whole country reads the same papers — the London papers — on the same day they are printed; discusses the same events, the same men, the same measures, the same speeches, the same scandals. Nothing like this happens, or can happen, in the United States. Strictly speaking, the United States has no capital, no dominating center of industrial, political, or intellectual life."[1]

(7) *Universal Common Schools.* President Coolidge in a proclamation November 14, 1924, said: "Education for the children of all the people, extending from the primary grades through the university, constitutes America's noblest contribution to civilization."[2] A common school education for every child, free of charge, supported by taxation, and requiring every child to attend, is an American institution. The "Encyclopædia Britannica" says that the Massachusetts law of 1647 was "epoch making. . . . It required every town of fifty householders to establish a school, the master of which should be paid either by the parents of the children taught or by public tax, as the majority of the town committee might decide."[3] That Massachusetts statute of 1647 recited that its purpose was "that learning may not be buried in the grave of" the fathers, and also to circumvent "that ould deluder, Sathan."[4] As Reisner points out, "the first modern compulsory attendance law in the United States was

passed in Massachusetts in 1852" and by "1914 all the states except six had enacted such laws of greater or less effectiveness." [1] The famous North West Ordinance of 1787 provided "That religion, morals, and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged," and Congress then and thereafter gave 86,138,473 acres of land for educational purposes.[2] In 1922 out of the 28,627,201 population from 5 to 17 years of age inclusive, 23,239,227 were enrolled in the public schools; private and parochial schools, 1,580,873. The total expense of education was $1,580,671,296, of which $860,952,724 was for teachers' salaries, etc. The public high schools had 2,319,407 pupils.[3] The universities, colleges, and professional schools took in $272,703,983 and of course expended it all. Never before in the history of the world has education been so recognized as the rock on which good government is built.[4] Free schools are the ribs of the ship of state; the ground work of the American republic; the warp and woof of American life. They had their roots in Europe but flowered in America and America alone. They are said to have existed among the Romans and later the Moors. In the 13th and 14th centuries Holland was noted for the size and number of her burgher schools. Martin Luther advocated free schools in 1524. England for centuries has had a great number of privately endowed free schools, especially after Henry VIII broke up the monasteries, thus affecting the schools connected with them. Free schools existed in Holland to some extent before 1609, the year in which the Pilgrims went to Leyden, but as Martin says, "These Dutch elementary schools . . . resemble in all essential particulars the . . . schools of England," [5] and as to the school established by the Dutch in New Amsterdam (New York) in 1633, he says, "it has never been a public school in the Boston sense," but has always been a school for the Dutch Reformed Church. In Scotland, however, in this same year, 1633, "a parliamentary enactment directed that a school should be

established in every parish, and that the lands be assessed f · the purpose." [1] But it remained for America to establish a compulsory universal common school education, supported by taxation, for all children. The whole world recognizes the fact that that system is distinctively an American institution and is a contribution which America has made to civilization.[2] De Sumichrast, an English writer, truly says, "In a democratic country where opportunities are freely extended to all, it is education which is the prime necessity. In the fact that the American people clearly perceive this lies the conviction of the ultimate development of the Nation into one of the most remarkable, if not absolutely the most remarkable, the world has ever seen." [3] Andrew S. Draper, Commissioner of Education of the State of New York, wrote in 1909, "There is apparently some growing doubt in the land about all men being created equal. There is even some skepticism about the laws being wholly without favor, or at least about their being administered so that the rights of all are exactly alike; but there is no doubt whatever of the common determination that every American boy or girl shall have his or her full opportunity through an absolute equality of right to an education. That, at least, has by the common impulse become the first law of our land. The sense of proprietorship in the educational system is universal, and the purpose to make that system the widest and the best in the world is not at all obscure." [4] Europe is still skeptical as to the effect of general education,[5] but America relies upon it to raise the general intelligence to a level where American institutions and traditions will be understood and cherished.

(8) *Town Meeting.* Local self-government can, of course, be traced back through history; in fact, to the city governments of ancient Greece, but there the city was the state and owed allegiance to no one. The town meeting of New England was an institution which the New Englander carried with him wherever he went. It prevails today throughout the North. It educates

the people to self-government, furnishes an outlet for discontent, and keeps a vigilant eye on local officials and expenditures. Its powers are small but its educational influence is far reaching. As Emerson wrote, "The American town is the unit of the Republic, as the leaf is of botany, or one vertebra is of the skeleton." [1] Henry Cabot Lodge says, "The State might fall to pieces, and the towns would still supply all the wants of everyday government. . . . On the towns rested the whole political structure, and from them came the capacity for practical self-government, the readiness for federation, and the keen sense of local rights. Among all the institutions of the Puritans the town government is preëminent, not only as a distinctive mark, but for its strength, usefulness, intrinsic sense, and political importance." [2] The town meeting is a New England institution,[3] free from city, state, and federal centralization of power. Sturdily it holds its way. It asks no favors and grants none. Formerly it was the center of power. It no longer is that, but its spirit still lives in demanding home rule for states, cities, counties, towns, and school districts. In cities the town meeting has been displaced by the representative system, but the old town meeting spirit of home rule survives. The town meeting plan has been misapplied in the Initiative, Referendum,[4] and Recall, and also in some instances in the Direct Primary, but all these mistakes will be rectified by experience and the town meeting idea will survive in all of its vigor and value. The field, however, of pure democracy in the shape of the town meeting in these days is limited. It is being supplanted by representative democracy, which is the only safe course when dealing with great numbers and complicated questions. The representative system in the shape of Supervisors in country counties, and Aldermen in cities, has displaced largely the work of the town meeting, but the educational effect in the country districts is still at work, and the principle is still sound. President Eliot said, "In the New England town governments the entire adult male population exercised an active

control over the amount of taxes to be raised, and the objects for which public money should be spent. Having determined these points, they left to a small board of Selectmen the entire administrative business of the town. This was the wisest and most successful mode of democratic government ever organized." [1] Lord Bryce says of the town or township system of local government that it is "the most perfect school of self-government in any modern country." [2] It is an American institution.

(9) *Separation of the Church from the State.* Hildreth says that in Rhode Island in 1647, "Freedom of faith and worship was assured to all — the first formal and legal establishment of religious liberty ever promulgated, whether in America or Europe." [3] Long says of Rhode Island, "It guaranteed religious liberty in the words 'none be accounted a delinquent for doctrine.' It was further provided 'all and every person and persons may . . . freely and fully have and enjoy his . . . own judgment and consciences in matters of religious concernment.' To the rulers of Rhode Island belongs the full credit for instituting a government in which there should be absolute freedom of religious thought and action, but priority is due Maryland, where a few years anterior to 1641, but unknown in Rhode Island, religious liberty had been established. But in Maryland there were limitations on its exercise, while in Rhode Island there were none." [4] The toleration in Maryland to which Long refers was toleration under the administration of Lord Baltimore and not by a fixed law. It was not until 1649 that the famous Maryland toleration act was enacted.[5]

Religious toleration is one thing; entire separation of church from state — in other words, religious equality — another thing. When Oliver Cromwell was besieging a Roman Catholic town in Ireland, which offered to surrender on the one condition of freedom of conscience, Cromwell replied: "As to freedom of conscience, I meddle with no man's conscience; but if you mean by that, liberty to celebrate the mass, I would have you understand

that in no place where the power of the Parliament of England prevails shall that be permitted."[1] In Providence, as Professor Harlow says, "there was no established church, and consequently no compulsory attendance, and no forced contributions for church support."[2] This is now so well established and so universally accepted throughout the United States that it is difficult to appreciate that it was a burning issue at the time of the Revolution. In 1770 nine of the colonies had an established church, *i.e.* a church supported by general taxation. The Episcopal was so sustained in New York, Virginia, Maryland, North and South Carolina, and Georgia. The Congregationalist in Massachusetts, Connecticut, and New Hampshire. In New Jersey the Episcopal church was by order of the King in 1702 made the established church, but the Assembly steadfastly refused any grant and so it was not much of an establishment. In Rhode Island, Pennsylvania, and Delaware entire religious equality prevailed.[3] In all the Colonies the Congregationalists had 658 congregations, the Presbyterians 543, while the Episcopalians had only 480.[4] The whole world practically considered it proper and necessary that there be a recognized, established church of some kind, supported in part at least by the state. America broke away from this and gave complete religious liberty. An amendment in 1791 to the federal constitution forbade the United States making any "law respecting an establishment of religion, or prohibiting the free exercise thereof." Judge Cooley says, "By establishment of religion is meant the setting up or recognition of a state church, or at least the conferring upon one church of special favors and advantages which are denied to others."[5] Judge Andrews, formerly Chief Justice of New York's highest court, wrote, "The American States, for the first time in the history of governments, have made it a part of their fundamental law that the civil power shall neither establish nor maintain any form of religion, and that religious belief shall not be subject to the coercive power of the state. This is a contribu-

tion by America to the science of government."[1] Nearly all of the state constitutions now prohibit the states from favoring any one religion at the expense of others; religious equality is ordered; no distinctions are allowed; free exercise of religion and free expression of religious opinions following the dictates of conscience are established by positive enactment. This is not mere religious toleration; it is religious equality and no state church; religious liberty in that no sect is favored by the state and no advantage given by law over other sects. It has been a matter of slow growth even in America. Massachusetts, Connecticut, and New Hampshire as late as 1816 supported religious institutions by law. "Church and state," says Professor Holcombe, "are not yet completely separated in the United States. There is still one State in which none but Protestants may hold the highest offices, and there are several in which the State contributes to the support of ecclesiastical institutions. But the principle of toleration is universally and firmly established."[2]

This freedom from religious persecution can be appreciated only by reading what religious persecution in the past has done throughout the world. Religious toleration, like pure air, is now silent and unseen, but in the beginning it cleared away the political pestilence of a combination of church and state. The original Christian religion, based on the teachings of Christ, clearly separated the state from the church — "the kingdom of this world and the kingdom of the world to come." But when the Roman Empire adopted the Christian religion and founded the Roman Catholic Church, the two kingdoms were united, and gradually the church dominated the state. Their separation is an American institution. Even now there are established religions in England, Scotland, Greece, Sweden, Norway, Denmark, Prussia, Austria, Spain, and Italy. On the other hand, following the American precedent, an established church was abolished in the following countries on the following dates: Holland, 1795; Belgium, 1831; France, 1905; Russia, 1918; Portugal, 1911,

and never existed at all under the constitution of the German Empire formed in 1871. America for a hundred and fifty years has led the way. Professor Sumner says, "The most notable product of democracy, especially of American democracy, up to this time is the maxim of the separation of church and state." [1]

(10) *Equality of Opportunity.* Europe and Asia prior to the American Revolution were bound in iron hoops of caste. The extraordinary man in all ages might burst through, but there was little equality of opportunity for him and none at all for the common man. The strata were fixed and the layer in which a man was born was the layer in which he died. The classes weighed down and lived upon the masses. Kings and landowning aristocracies formed an upper crust almost impervious. Even the American colonies brought with them this system — classes in Massachusetts, classes in Virginia. But the class system rapidly broke up. The wealthy and well born had to take their chances with the rest. Universal suffrage swept aside all artificial distinctions. In other words, equality of opportunity became an American institution.[2] It tolerated no restriction, recognized no exception, and demanded that the son of the farmer or frontiersman have the same opportunity as the son of the merchant prince or landowning aristocrat. There are intelligent Americans today who believe that stratification of classes is inevitable and desirable; that family stocks are invaluable; that the law should favor accumulation and transmission of family wealth; that an aristocracy of family, wealth and intellect cannot be prevented, and that that kind of aristocracy will and should rule the country. The answer is that they run to seed and become worthless; that nearly all great men come from non-aristocrats; and that equality of opportunity is the only safeguard of republican institutions. And there is no American institution more cherished or more fiercely insisted upon today than this. The American knows that he and his children may rise to the highest positions. The young man feels that opportunity beckons him on to his

utmost and that education is open to him. No caste, no aristocracy bars his way. If he has character, brain power, and force, he can achieve distinction.[1] From a rail-splitter to the Presidency was Lincoln's career; Garfield's from the tow-path; Jackson's from the wild frontier of Tennessee; Coolidge's from an obscure attorney born in Vermont. "The tools to him who can handle them" was Napoleon's maxim, and every American "heart vibrates to that iron string." As Lennes says: "The chief aim of democracy is to give all individuals the same opportunity to develop and use their inborn talents." [2] No primogeniture or entail prefers the eldest son and ties up vast estates. No landlordism monopolizes for generations the fertile lands. If he has high social gifts, the young American can marry into the highest social circles and live to regret it. Society is no comrade for ambition. The young American's future depends on himself. Fate may have shot him into a lowly place but he can hew and carve his way to the front. Wealth, social standing, political position, professional life, learning, science, and literature — all are open to him if he is willing and able to pay the price of fixed purpose, discipline of intellect, and concentration of mind.

> "The force of his own merit makes his way;
> A gift that heaven gives." [3]

"America is opportunity," said Emerson. The American has individuality, independence, and initiative. And the world is open before him. There are no titled classes to truckle to; no caste to embalm men. Every avenue is open. Even predatory corporations are curbed. The rich die or retire or fail. As Emerson says, "the aristocracy of trade has no permanence, is not entailed, was the result of toil and talent, the result of merit of some kind, and is continually falling, like the waves of the sea, before new claims of the same sort." [4] It is true that each man is but a drop in the great ocean of American life, yet each drop has a chance to glisten and glitter on the crest of the

topmost wave. Nor do business combinations restrict equality of opportunity and individuality. On the contrary, the tens of thousands of positions now requiring capacity, honesty, and force of character are incessantly changing and in a few years will be filled with new men coming up from the ranks. The field is unlimited, the opportunity boundless, and the prizes greater than ever. Individuality still exists and rises easier than ever. Life may be a battle and a march, but that makes men. A hundred years ago opportunity was limited to politics, free land, and the accumulation of a small fortune. Today there is colossal trade, manufacturing, mining, the professions, science, and public service in and outside of politics. Hugh McCulloch wrote in 1887: "The United States is far in the lead of all nations in the enterprises, the industry, and versatile intelligence of the major part of its population." [1] That was true then and is true now. And equality of opportunity is the cause. No wonder that Americans worship a constitution and institutions that give them all this. The average American is not a constitutional lawyer. He may not know the details of the Constitution. But he does know that his country gives him and his children *equality of opportunity*. That is a concrete fact which he hugs. *Equality of condition* is a different proposition and is considered elsewhere.* Carver and Lester well say: "When 'the powers that be' serve notice upon every individual that his success in any field of useful endeavor is limited only by his own ability, industry, and wisdom, that if he possesses these three qualities in high degree and exercises them strenuously, whatever his origin or antecedents, he may rise to the highest positions in government, business, or social life, and that he may fall to the lowest depths if he wastes these talents — this in itself is the most powerful system of motivation the world has ever discovered. It makes kinetic the latent energy of the people and directs that energy into productive channels. With our democratic ideals we have gone a little further

* See Chapter XXX *infra*.

than any other country has yet gone in this direction, and that is one of the powerful factors in the creation of our amazing prosperity." [1]

Equality of opportunity includes the right of a man to keep what is his own. The American does not have to divide what he earns. No king or aristocracy takes the lion's share. No monopoly of land takes the profit, leaving a bare subsistence. No taxes are levied except by the people's own representatives. No huge incomes go to a titled aristocracy to expend in extravagance, idleness, and waste. The people's money is not diverted and they are free to expend it as they wish.

And in recent years these principles of freedom of opportunity and protection of what is a man's own have led to positive statutes protecting those rights. When railroad freight charges took more than a fair share of the value of wheat, corn, beef, and pork, Congress organized the Interstate Commerce Commission to regulate rates so that the farmer might not be deprived of the profit of his labor. When "trusts" were formed to monopolize manufacturing and increase prices, Congress prohibited them by the anti-trust act of July 2, 1890, so that the public should not be deprived of its property by excessive prices. When immigration threatened the living wage of self-respecting labor, Congress stopped immigration. When labor unions illegally stopped non-union men working, the courts by injunctions preserved the right of men to work when and where and at such wages as they see fit. When a money trust sought to control the country, the white light of legislative investigation drove it out. Every American feels that he is protected against extortion.

Now these ten American institutions are not dry abstractions. They are living, vital, throbbing actualities entering into the daily life of Americans, and every one of them has had a profound influence on Europe and Asia. They are institutions which are cherished with an almost religious devotion by Americans. There are those who bemoan the separation of the United

States from England, but without that separation these ten American institutions would not now exist. That would have been a calamity to the human race.

Are we competent to maintain this Constitution and these American institutions? What kind of people are we; how were we made up; which is the dominant type of the many-sided population? These are the questions which today are being discussed in a multitude of books — books so numerous as to indicate that the American people realize the seriousness of the situation.

The dominant type is a composite. Some nationalities do not enter into it at all, such as the Slovaks, the Ruthenians, the Russians, the negro, and the Asiatics. Some have a local influence and separate racial existence, such as the Italians, the Jews, and the southeastern Europeans. There is, however, a dominant composite type. It is the Anglo-Saxon, modified by the Scotch-Irish, Dutch, Huguenot, German, Irish, and the Scandinavian races. Hence it is well to pass in review the most important of these elements and consider their characteristics, and it is well also to consider other powerful influences which bear upon the safety of American institutions. America always has been and is still ready and willing to fight for its institutions, but the problem now is how to preserve them, not by fighting but by preserving the American type of 1776.

CHAPTER III

AMERICA AND CIVILIZATION

HERBERT SPENCER said, "I think that whatever difficulties they may have to surmount, and whatever tribulations they may have to pass through, the Americans may reasonably look forward to a time when they will have produced a civilization grander than any the world has known." [1] We hope so. But what is civilization and in what directions will America improve it? The word civilization includes many things; the form of government, the laws, science, religion, philosophy, literature, art, education, the character and intelligence of the people, the production of great men, manners, and conduct of life. In which of these fields will America advance beyond Europe?

Nature is ceaselessly working to produce higher races of men. She is in no hurry. Centuries go by while she is welding a new race. In a hundred years she produces only a few great men. Nature builds up a civilization and then tears it down to make way for a higher. But always and everywhere, of all the elements making up a civilization she subordinates all to one, namely, the character of men. As Emerson wrote, the true test of civilization is "the kind of man the country turns out." [2] Lodge says, "When we speak of a race, then, we do not mean its expressions in art or in language, or its achievements in knowledge. We mean the moral and intellectual characters, which in their association make the soul of a race, and which represent the produce of all its past, the inheritance of all its ancestors, and the motives of all its conduct. The men of each race possess an indestructible stock of ideas, traditions, sentiments, modes of thought, an unconscious inheritance from their ancestors, upon which argu-

ment has no effect. What makes a race are their mental and, above all, their moral characteristics, the slow growth and accumulation of centuries of toil and conflict. These are the qualities which determine their social efficiency as a people, which make one race rise and another fall, which we draw out of a dim past through many generations of ancestors, about which we cannot argue, but in which we blindly believe, and which guide us in our short-lived generation as they have guided the race itself across the centuries." [1]

In building up a new and improved race nature makes it difficult to obtain food, shelter, and clothing. She also precipitates them into wars, revolutions, and revolts. Over an ungovernable people she places a despot, an absolute monarch, who hammers law and order into their unruly bones. Over a steadier but progressive race she places a constitutional monarchy and aristocracy. Finally, in order to allow free play to all the capacity of man she plants republican institutions with equality of opportunity. All of the elements of civilization are then open to all, but the choicest instrumentality which nature uses to raise the character of men — her ultimate goal — is the form of government, republican institutions, which govern but do not restrict. Hence it is that the great nations have been nations of republican institutions — Greece, Rome, England. Hence, too, it is that so many of the great men in history have been from those nations.

"A cultivated man," says Emerson, "wise to know and bold to perform, is the end to which nature works." [2] If it be true that the chief end of nature is to develop the character of men, and that her chief instrument to that end is government, and that the highest form of government is a republic, then so far as we are able to fathom the mysterious workings of nature, America has been allotted the task of establishing the practicability of a great people governing themselves; in other words, a republic. Here lies the mission of America — not wealth or power or material comforts, but self-government and a high character of man.

The mission of Rome was to establish law and order and develop governmental institutions throughout the world. The mission of England has been the same. John Fiske in 1880 delivered in London three lectures on "American Political Ideas."[1] He set forth three as constituting American contributions to civilization: (1) the town meeting; (2) the federal union, dividing sovereign powers between the nation and the states; (3) the "manifest destiny" that this principle of division will be ultimately used to unite not only Europe but the whole world. President Eliot in 1907 in a book on "American Contributions to Civilization" summarized his views as follows: "These five contributions to civilization — peacekeeping, religious toleration, the development of manhood suffrage, the welcoming of newcomers, and the diffusion of well-being — I hold to have been eminently characteristic of our country, and so important that, in spite of the qualifications and deductions which every candid citizen would admit with regard to every one of them, they will ever be held in the grateful remembrance of mankind."[2]

To my mind the greatest contribution of America to civilization is the reëstablishment of republican institutions out of the wreck and ruin that had overtaken those institutions in 1776. The mission of America is to develop governmental institutions still further. Somewhat blindly America gropes its way. Its soul, its characteristics, its aspirations, its tendencies, and its mission, as distinguished from its achievements, its wealth, power, population, and materialistic occupations, are difficult to detect and difficult to describe. It is the outgrowth not only of the mingling of many races but also of the conflict of many ideas. It is ascertained not from wars or administrations, nor the clamor of politicians, nor conquests, nor the growth of population, wealth, and inventions, but from the characteristics and beliefs of the different nationalities that came to America, and the final predominance of the Puritan type, broadened by being transplanted, and finally fusing most of these different nationalities

into a homogeneous nation — a feat unparalleled in history. This involves description of the English, Dutch, Irish, Scotch-Irish, German, Jew, Italian, Scandinavian, and the dark-eyed races of Southeastern Europe. Each had a different type of mind and view of life. Their racial traits remain today, localized or intermingled, with minds and ideas acting and reacting on American national life. The origin, growth, and consolidation of most of these elements into a composite whole has produced the American, with grievous faults but on the whole the best of all. It has produced a man of personal independence, of resourcefulness, of absolute freedom of individual initiative — destined and qualified to perpetuate republican institutions. The nation is in its middle-age of manhood, strong, aggressive, and intelligent. Like most men of middle-age it is materialistic in its struggle for the good things of life. But like many of them it will become more philosophic, more intellectual, more spiritual, more creative of a higher civilization. Speed the day!

The modern American differs radically from the English, Dutch, Scotch, German, Irish, Scandinavian, French, and other nationalities which took part in colonizing America. Climate, opportunities, necessities, occupations, soil productions, fisheries, coast communications, a vast continent and environment generally, began at once to mold a new kind of man. Intermarriage hastened the process. A new type of man appeared in the world — the American. Full of ambition and nervous energy, untiring, practical and yet with ideals to preserve and better this country as it is, he has become a dominant figure, a mystery to other nations, a mystery to himself.

The American may never excel in art, literature, or as a philosopher. He may not be a great scientist or historian. He may not be a real conversationalist or master of manners. But the old Romans were none of these and yet they originated laws for the world, not merely for their age but down to the present day. The American has a like mission and there is no higher

in the records of time.[1] The Roman was greatest when the Republic was in danger. The American is the same. Then he shakes off the coil of materialism. A menace to his freedom rouses the innate fierceness of his nature.

Meantime nature is ceaselessly working to produce a higher and finer type of man. She planted in America the sturdiest stock of the sturdiest races of Europe. She gave them a continent of every clime, every element of wealth and power, every advantage. She welded them into a composite race. She gave them new ideas as to life and human institutions. She has done this for a purpose, but as to what that purpose is we can only say, "There's a divinity that shapes our ends, rough-hew them how we will." [2] Man sees only nature and nature speaks,

> " 'Tis thus at the roaring Loom of Time I ply,
> And weave for God the Garment thou see'st Him by." [3]

It is an astonishing spectacle; an intelligent, progressive, forceful people; a country of vast natural and accumulated wealth; a republican form of government. What will the great underlying laws of nature do with all this? The future is almost portentous in its magnitude. America is moving towards some unknown, unseen destiny. Will it be broken up by factions or will it become the dominating power of the world? Will it advance science, philosophy, literature, art, and religion or will it sink into materialism? A world drama is evolving from the environment, races, traditions, character, government, aspirations, conflicting interests, and economic phantasmagoria. What will be the fifth act? However, the spectacle was equally astonishing a hundred years ago when all conservative people were afraid of Andrew Jackson and the populace; and yet America survived while Europe was revolutionized by America's example. Lucien Romer, a French writer, said December 25th, 1927, "Already two types of civilization are facing each other. The European is based upon personal invention and individual

well-being, the American on group enterprise and social well-being; the American has the better chance of surviving." Bishop Dean of Scotland, speaking in New York November 24, 1927, said: "The God of destiny has made you the greatest nation on earth; the greatest nation in point of wealth, power and human representation. You cannot escape from world power if you would." Lord Acton, the great English historian, said: "We have no thread through the enormous intricacy and complexity of modern politics except the idea of progress towards more perfect and assured freedom, and the divine right of free men." [1]

In addition to the ten American Institutions named above there are two ways in which America has profoundly affected the whole world.

(1) The American method of breaking up great fortunes by a testator dividing his estate among all of his children. No primogeniture; no entail; no title to seek, maintain and enlarge; no old world ideas on this subject. In a single generation a fortune as a rule is widely distributed. No aristocracy can arise. Like the broad stream of a river, divided to irrigate the whole country, American fortunes are distributed among the heirs and much goes to philanthropy.

(2) No land monopoly. The French Revolution broke up the land holdings in France. Taxation is doing the same in England. The chief cause of the Russian upheaval was the lure of the land. The unfair treatment of the Scotch-Irish in Ulster as to land drove them to America in swarms, and look at the influence they have had. Every man in America can turn to the land and soon buy it for his own. Land hunger is an Anglo-Saxon trait. It is the surest basis of American institutions. And all Europe now moves to the American way.

PART II

RACIAL TRAITS

CHAPTER IV

THE NEW ENGLANDER

Inasmuch as the New England type, by emigration to New York State and thence westward through the Mississippi Valley to the Pacific Coast, has become the predominant type of America, it is well to consider its almost exclusively English origin; its harsh Calvinistic theology dominating its government; its adoption of the common school system and its remarkable use of the town meeting. Carlyle wrote, "Hail to thee, poor little ship *Mayflower*, of Delft-Haven! poor common-looking ship, hired by common charter party for coined dollars; calked with mere oakum and tar; provisioned with vulgarest biscuit and bacon; yet what ship Argo, or miraculous epic ship built by the sea gods, was other than a foolish bumbarge in comparison? Golden fleeces or the like these sailed for, with or without effect; thou, little *Mayflower*, hadst in thee a veritable Promethean spark; the life spark of the largest nation on our earth, so we may already name the transatlantic Saxon nation. They went seeking leave to hear sermon in their own method, these *Mayflower* Puritans; a most honest indispensable search; and yet, like Saul the son of Kish, seeking a small thing, they found this unexpected great thing. Honor to the brave and true! they verily, we say, carry fire from heaven, and have a power that themselves dream not of. Let all men honor Puritanism, since God has so honored it."[1] Bancroft writes, "In the cabin of the

Mayflower, humanity recovered its rights, and instituted government on the basis of 'equal laws' for 'the general good.'" [1]

It is perhaps superfluous to describe the qualities, good and bad, of the middle-class Englishmen, who founded and expanded the larger colony of Massachusetts Bay, or of the yeoman class of English who founded and for many years kept separate the older but smaller colony of Plymouth, beginning with the *Mayflower* Pilgrims of 1620. Professor Hockett says: "The great body of the Puritan immigrants belonged to the middle class of small farmers, tradesmen, and craftsmen who felt the continual pressure of poverty. . . . Social distinctions, almost wanting in Plymouth, were marked in Massachusetts Bay. . . . The gentry belonged to the social rank which in England composed the majority in the House of Commons and as country squires or magistrates held the county offices. Many of them, especially the clergymen, were trained in the universities. They were aristocrats by tradition and profession. They were brave and honorable idealists, but they belonged to a narrow and bigoted age. Social distinctions were to them real indexes of worth." [2] The country squires of England went chiefly to Virginia, where their aristocratic character and tendencies found congenial soil in the climate, productions, labor, and their natural habits. They are considered later.

The characteristics of the various classes of English are described in Emerson's "English Traits," which though somewhat flattering shows the bad as well as the good. The English dislike the criticisms but as usual profess to be indifferent. The "Encyclopædia Britannica" says Emerson's "English Traits" might be called "English Traits and American Confessions" — a remark which signifies much as to English Traits.[3] The best trait of the average Englishman, high or low, whatever rut fate may have shot him into by birth or chance, was that he stuck and did his best by conscientious, thorough work, and obstacles only increased his pertinacity. Grasping the English certainly were,

and when once in possession, would not let go until torn limb from limb. They were hard to deal with but abided by their contracts once made. They despised tricks and prided themselves on fair dealing, although grasping to the last degree. They worshiped the pound sterling more than the American ever worshiped the dollar. They loved a fight, and, while sympathizing with the under dog, wished the fight to go to a finish. Centuries of conflict and punishment made them respect the law and the privileged classes. Every man looked down on those below him and expected to be looked down on by those above him.[1] Yet they gave liberty, insisted on law and order, freed the slave, built up free political institutions, opened opportunity, and protected life, liberty, and property. They were a reticent race but steadfast to the end. They were natural colonizers and carried their laws with them. Where they planted they stayed, and woe to him who tried to drive them out. As Cooper says, "When the Englishman finally sees and seizes a thing, he takes it with the whole of his weight, and wastes no breath in telling you he has taken hold."[2] The English are trained from childhood to self-restraint and reserve. Their religion did not interfere much with their habits, but they were obstinate in adherence to form and ceremony and use and wont. Their tenacity in what they undertook has never been surpassed by any people, not even the Romans. These were the men who founded Jamestown in 1607, Plymouth Colony in 1620, and Massachusetts Bay Colony in 1629, and who to the number of twenty thousand emigrated to New England between 1630 and 1640. Yet in 1670 all New England had but 60,000 people, while Virginia alone had 40,000. Fiske points out that in 1640 the population of New England was purely and exclusively English. As Palfrey says, the population of 26,000 that had been planted in New England by 1640 "thenceforward continued to multiply on its own soil for a century and a half in remarkable seclusion from other communities."[3] A few Scotch were sent to Boston by Cromwell in

1652; a few Huguenots came to Massachusetts about 1685. In 1718 about 750 Scotch-Irish settled; some at Londonderry, New Hampshire; some in Boston; some at Worcester; and some near Portland; several hundred more on the Kennebec River in Maine. These, however, did not mix well with the New England Puritans, and a little later most of them moved to the other colonies southward. Lodge wrote: "Another feature of the New England character which helped to increase the love of political independence and self-government, was the keen dislike of foreigners and great pride of race. Except the few French Huguenots of the seventeenth century, who were gladly welcomed in New England, no foreigners came among them. They hated Papists, and Irish, and Frenchmen with a bitter hatred. Even the Scotch Presbyterians of Londonderry were distrusted and disliked, because papacy was suspected in all who came from Ireland."[1] For nearly two centuries after 1640, namely, from 1640 to 1820, there was no considerable migration to New England. It is a curious fact that America has preserved the Elizabethan and Cromwellian type of Englishman while that type has changed in England itself. As stated above, English emigration to Jamestown began in 1607 and was heavy to New England between 1620 and 1640. Then it practically ceased. Thenceforward the English in America lived their own lives. They escaped the dissolute reign of Charles II, the political corruption of Walpole, and the demoralizing rule of the nobility. America was absorbed in occupying a continent and solving internal problems, while England became cosmopolitan in building an empire by conquest and trade. The sturdy substratum of the two nations, however, remained the same and is now coöperating in the work of the world. America has absorbed many foreign elements, but the descendants of the Elizabethan English still rule.[2] Fiske says that the New England settlers were "homogeneous in character to a remarkable degree, and they were drawn from the sturdiest part of the English stock.

In all history there has been no other instance of colonization so exclusively effected by picked and chosen men. . . . 26,000 New Englanders of 1640 have in two centuries and a half increased to something like 20,000,000. From these men have come at least one-fourth of the present population of the United States." [1] Savage states that in 1800 ninety-eight per cent of New Englanders could trace their origin to England exclusively.[2] Later the French Canadians, Irish, and Italians flocked in. In Massachusetts, in 1920, of the white population of 3,852,356 only 1,230,773 were of native parentage, while 2,170,792 were foreign born or of foreign parentage. Of the foreign born the Irish were 17%; the Italians about 11%; French Canadians 10%; other Canadians 14%. Orth says: "The process of racial replacement is most rapid in the smaller manufacturing towns. In the New England mills the Yankee gave way to the Irish, the Irish gave way to the French Canadian, and the French Canadian has been largely superseded by the Slav and the Italian. Every one of the older industrial towns has been incrusted in layer upon layer of foreign accretions, until it is difficult to discover the American core." [3]

The New Englanders left England largely on account of religious persecution. They are charged with founding a theocracy which controlled the state and which treated all dissenters harshly and intolerantly. The charge is largely true, but it is well to consider two causes and the results. The first cause was that England and Englishmen had never been under any other system. The Catholic Church was the state church in England until Henry VIII established the Episcopal Church, and then that Church became the state church and proscribed all others. The Puritans (*i.e.* the *English* Protestants) began under Wycliffe and the Lollards in the fourteenth century; received their name and the Calvinistic doctrines in the sixteenth century; tried to displace the English Church as the state church in the seventeenth century; disappeared gradually as Independents in

England when Cromwell died; and withered away as Presbyterians in England when the Toleration Acts followed the expulsion of the Stuarts. In New England the Puritans were of the type known as Congregationalists and made their religion the state religion. They set up a theocratic government, the ministers being practically the government. "The government," says Forman, "established by the Puritans of Massachusetts was virtually a theocracy, for no man could be a freeman of the colony unless he was a member of some Puritan church. This left the government in the hands of men who believed that human affairs should be conducted in accordance with the words of the holy writ. Since the theocracy was virtually independent of England, it could rule with a high hand, for there was nothing to withstand its power. And it did rule with a high hand. The clergy were all-powerful in temporal as well as in spiritual matters. They not only argued cases in the courts, but even acted as judges. They would boldly attend the trial of lawsuits which were in progress, 'observe what was going on and if they were not pleased with the judge's decision would overrule it, and if they did not like the action of the jury they would overrule it and pronounce the verdict themselves.'" [1] But they refused to apply the barbaric criminal laws of England.[2] The Congregationalists and Presbyterians believed in combining church and state; they differed only in church organization, the selection of ministers by the Congregationalists being by each congregation for itself, but with the Presbyterians subject to approval by a higher body.[3] The Episcopal Church was not even allowed at first to hold meetings in Massachusetts and a Catholic was a "papist" beyond hope of redemption. It has always been the profound policy of the Catholic Church not to interfere with the pleasures of its people (prohibition, birth control, Sunday amusements); on the contrary it appeals to the senses by ceremonies, images, cathedrals, and pageants. It has always been a principle of the Puritans to mortify the flesh. And especially so in New

England. The Congregationalist clergy ruled directly or indirectly in New England for decades. Hildreth states, however, that in 1703 "the pretensions of the ministers to advise and control the executive and the Legislature came to a total and final end." [1] Sewall in his diary in 1702 noted that his pastor was in a sulk because the civil representatives had taken precedence over the ministers in the procession for proclaiming Queen Anne.[2] But when the Revolution came the New England parson shouldered a musket and led his congregation to the war.[3] Palfrey says: "According to the primitive doctrine and practice of New England, no man was a clergyman in any sense, either before his election by a particular church, or after his relinquishment of the special trust so conferred; and, even while in office, he was a layman to all the world except his own congregation, and was not competent to exercise any clerical function elsewhere." [4] The entire separation of church from state, originated by Roger Williams and Rhode Island, now prevails practically throughout America, but the religion of the Presbyterian church is today the most influential religion in the country, especially in the West where it has largely absorbed Congregationalism.

The Pilgrims were more of the Independent type, similar to Cromwell, tolerant and not inclined to misuse the power of the state. Calvin Coolidge, when Vice President, said of them, "They came seeking only an abiding-place on earth, 'but lifted up their eyes to heaven, their dearest country,' says Governor Bradford, 'where God hath prepared for them a city.' On that abiding faith has been reared an empire, magnificent beyond their dreams of Paradise." [5] On another occasion Mr. Coolidge again referred to them: "It is said that upon the old Colony of Plymouth there is no stain of bigoted persecution." [6] Bancroft wrote that the Pilgrims "were never betrayed into the excesses of religious persecution." [7] Hazeltine says: "The history of the Pilgrims stands in marked contrast with that of the Puritans. The Puritan colonies of New England were

theocracies in which there flourished the spirit of intolerance in religion and of opposition to the separation of church and state. The Pilgrim colony of Plymouth, founded upon the *Mayflower* Compact, was a community in which there were established the ideals of separation between church and state, religious freedom, and just and equal laws. The Puritan colony of Massachusetts ultimately absorbed the little Pilgrim community, but it did not obliterate the Pilgrim notions of law and government. These notions persisted and constantly widened the sphere of their influence, until they permeated the life of the American people and embodied themselves in the institutional and legal system of the United States." [1] There was one fundamental difference between the Plymouth Rock Pilgrims and the Massachusetts Bay Puritans, namely, the former believed in government by the people: the latter in government by the clergy — a theocracy which lasted nearly eighty years until 1703.[2] The Pilgrim, like Antigone in the Play of Sophocles, appealed to

> "Unwritten laws, eternal in the heavens;
> Not of to-day or yesterday are these,
> But live from everlasting."

Professor Hockett says, not until 1660 did Plymouth "colony adopt a property qualification for voting; still later it added the requirement of church membership." [3] Cromwell himself about 1631 thought of emigrating to America. The grand remonstrance of the English House of Commons against the tyranny of the Stuarts was passed in November, 1641. "Had it been rejected," said Cromwell as he left the House, "I would have sold tomorrow all that I possess and left England for ever." [4] In 1691 the Pilgrim-Plymouth colony was merged into the Massachusetts Bay colony. That eminent divine, Doctor Storrs, wrote: "I remember that half the Plymouth colonists died the first winter, and that in the spring, when the long-waiting *Mayflower* sailed again homeward, not one of the fainting survivors

went with her, — and I glory in that unflinching fortitude which has given renown to the sandy shore! Our vigor is flaccid, our grasp uncertain, our stiffest muscle is limp and loose, beside the unyielding grapple of their tough wills." [1]

The second cause of theocracy was the fear that rapid immigration might lead to that which the Puritans left England to avoid, namely, control by some other sect or by no sect at all. Massachusetts had not yet arrived at the point attained later by all Americans, the entire separation of the church from the state. That colony applied the practice of its ancestors, namely, a government closely allied with some form of state religion and a proscription of all dissenters. It is unfair to criticize harshly a system that had been inherited honestly.

By their fruits shall ye know them. The New England character *was* narrow but it was deep and strong. It was based on self-abnegation, hope of heaven, and fear of hell.[2] It produced men and women who have never been surpassed in sterling qualities, not even in Spartan times.[3] Their granite hills furnished a sparse livelihood but created a granite character,[4] which gradually predominated over the whole North. When it finally clashed with the South, the South went down, and today New England intellectual and moral standards are America. Particularly have two tangible evidences of the character of that people spread throughout the country: the free common school system and the town meeting, both of which have already been considered.* The common school is peculiarly New England in its origin. As the New Englander migrated westward on foot or horseback or by covered wagon, wherever and whenever he settled he first built a log home and then a schoolhouse. The common school has been and is the intellectual nurse of the West, and the public would no more part with it than part with the Constitution.

Dean Inge has written: "The New England tradition is

* See pp. 42–46, *supra*.

Calvinistic. Now Calvinism is the Christian form of Stoicism. It arose in democratic and busy Geneva, while Lutheranism was flavoured partly by the monkish training of Luther himself and partly by the agrarian and semi-feudal society in which it took root. Calvin instituted the asceticism of hard work. We serve God best by taking our place in civil life, and doing our business, whatever it is, thoroughly well. We are to eschew superfluities, which take up time and distract attention. The glory of God and the well-being of society are the only objects worth living for. In this way Calvinism is responsible for that curious product, the modern business man. No other form of Christianity has accepted with less reserve the social conditions of modern industrialism, or has felt so much at home in the bank, the shop, and the factory. At the same time, it has always frowned upon the idle rich and the mere *rentier*." [1]

The New Englander's conscientiousness is shown by the words of that typical New Englander, Emerson, when he said of the passing days: "They come and go like muffled and veiled figures, sent from a distant friendly party; but they say nothing, and if we do not use the gifts they bring, they carry them as silently away." [2] Such was the New Englander. He pushed west farther and farther, leaving descendants as he went. The innate superiority of his mind, institutions, and principles conquered as they went, like the armies of the Saracens, until now no one can deny that the New England type dominates America. The narrow religion has been discarded, the mind has broadened, the theoretic qualities have lessened, but the underlying principles of right and wrong and the ideals of life have permeated the country and will preserve America. Nor will this all be due solely to New England. Fiske says: "The English or Independent phase of Puritanism was by no means confined to the New England colonies. Three-fourths of the people of Maryland were Puritans; English Puritanism, with the closely kindred French Calvinism, swayed South Carolina. . . . In the South today [1897] there

is much more Puritanism surviving than in New England."[1] M. Le Bon says: "Let us summarize, then, in a few words the characteristics of the Anglo-Saxon race, which has peopled the United States. There is not perhaps in the world one which is more homogeneous and whose mental constitution is more easy to define in its great outline. The dominant qualities of this mental constitution are, from the standpoint of character, a will power which scarcely any people except perhaps the Romans have possessed, an unconquerable energy, a very great initiative, an absolute empire over self, a sentiment of independence pushed even to excessive unsociability, a puissant activity, very keen religious sentiments, a very fixed morality, a very clear idea of duty."[2] Another French writer, Fay, says, "It must not be thought that the English emigrants to America had kept their customs and civilization just as they were before their emigration. Life in the wilderness, silence, and meditation had wrought profound transformations in these people. On the pious, strict, and patient men of the North, their surroundings had stamped a new and altogether remarkable character of strength, simplicity, and fearlessness. These men had developed pride and individuality at the same time that their entire natures were undergoing simplification. Their instincts had become more direct and more violent. Thanks to the vastness of the territory that they had conquered and the material well-being that they had built up, the inhabitants of New England, coming in direct contact with the soil, were forming a new race in whom, under a strict morality, were hidden faculties for simple and strong delights and whose predominantly pessimistic religion concealed an unlimited optimism."[3]

Hildreth, writing in 1848, says that after 1640, "The accessions which New England henceforward received from abroad were more than counterbalanced by perpetual emigrations, which, in the course of two centuries, have scattered her sons over every part of North America, and, indeed, of the globe. The im-

migrants of the preceding period had not exceeded twenty-five thousand — a primitive stock, from which has been derived not less, perhaps, than a fourth part of the present population of the United States." [1] Bancroft, writing in 1858, said: "I have dwelt the longer on the character of the early Puritans of New England, for they are the parents of one-third the whole white population of the United States. Within the first fifteen years — and there was never afterwards any considerable increase from England — we have seen that there came over twenty-one thousand two hundred persons or four thousand families. Their descendants are now not far from four millions. Each family has multiplied on the average of one thousand souls. To New York and Ohio, where they constitute half the population, they have carried the Puritan system of free schools; and their example is spreading it through the civilized world." [2] Lodge says, "The time has come when we ought to judge the Puritan fairly, and see him as he really was, — not tricked out in virtues which he never would have claimed, nor bedaubed with vices of which he was entirely innocent. There is no lack of opportunity for fit judgment. The Puritan did not creep along the byways of his time. He stands out in history as distinctly as a Greek temple on a hill-top against the brightness of the clear twilight sky. It is a stern figure enough, lacking many of the ordinary graces, but it is a manly figure withal, full of strength and force and purpose. He had grave faults, but they were the faults of a strong and not a weak nature, and his virtues were those of a robust man of lofty aims." [3] The New Englander had and still has an ideal of efficiency; a gospel of social service; a Calvinistic belief that prosperity is based on morality; a conviction that the accumulation of wealth is a means to a social end; a devotion to the idea that one's work is chiefly the fulfillment of one's duty.[4] That kind of character goes far in this world. It is the fashion today to decry the Pilgrims, the Puritans, the New England character, the Revolution, the Constitution, and, in fact, all American achievements,

but this has no more effect on the American people than a storm at sea has on the depths below. National traditions and inspirations are not to be so lightly swept aside.

In the Revolutionary War Massachusetts furnished 67,907 soldiers; Connecticut 31,939; Pennsylvania 25,678; New York 17,781. Boston was the largest city in the colonies for more than a hundred years after they were planted. This was due to Boston's shipping, trade, and commerce.[1] After 1750 and before the Revolution Philadelphia became the largest, due chiefly to the freedom of Pennsylvania from Indian Wars. Some authorities put Philadelphia in the lead even prior to that date. New York passed Philadelphia after 1790 and rose to real supremacy about 1820, due to the Erie Canal, the railroads, its central position, and its indomitable enterprise.[2]

The spirit of New England Puritanism was duty, not pleasure. That spirit predominates today in Americans of colonial descent. Nor has the New England spirit of conscientiousness and self-development succumbed to utilitarianism. They do not necessarily conflict, but the question today is, which shall control? Broad culture by a knowledge of literature, history, philosophy, political economy, and government is one thing; the pursuit of gain and of achievement for glory or profit is another thing. Shall the lawyer, doctor, public man, newspaper man, manufacturer, merchant, and banker be proficient only in his one craft, or shall his foundation be a general culture and keen sense of duty? The pendulum has swung widely in different parts of the country and in different cities, but indifference to everything, except one particular gainful pursuit, is becoming less and less an American reproach. The professional schools are raising their standards by requiring a preliminary collegiate education. From the technical schools the man of general information reaches the high positions of trust in great enterprises. Even in public life the higher walks are generally reserved for men of broad education. It is true that the great mass in the great cities seek

training for utility only and ideals have little to do with it. But that is not New England Puritanism.

Nor has Puritanism been alone in forming the character of the nation. Virginia shares in that glory. While the Virginian has never been a profound scholar, yet the Virginia type of character has equaled that of Massachusetts. And after all it is the type of man that determines the worth of a nation. Massachusetts and Virginia both contributed to the evolution of the typical composite American — the American of the West. Hence it is to the South that we now turn.

CHAPTER V

THE SOUTHERNER

It is generally said that the English Cavalier went to Virginia, while the English middle classes went to New England. As to New England this was true. The few aristocrats who went there, like Sir Henry Vane, — one of the best, — soon left. Cold, sterile New England called for men who were willing to endure privation, labor, want, and struggle. America profited by the vicissitudes of contending factions in England. During the latter part of the reign of Charles I, the Cavaliers persecuted the Puritans and so the latter emigrated to New England to the number of 20,000 from 1629 to 1642 when the Civil War in England began. When Charles I was decapitated in 1649, the tables were turned and Cavaliers emigrated to Virginia and its population increased to 23,000 by 1670. Fiske says that probably over 1000 Cavaliers went in one year — 1649 — and that Washington, Marshall, Madison, and Monroe were of "Cavalier families that came to Virginia after the downfall of Charles I." [1] Washington's great-grandfather came over from England in 1657 and was a man of wealth and influence, a leading judge and member of the House of Burgesses. Very few of these Cavaliers, however, were from the nobility. They were from "the country gentry, merchants and tradesmen and their sons and relatives, and occasionally a minister, physician, a lawyer, or a captain in the merchant service." [2]

The Virginia colonists were not all Cavaliers by any means. Roundheads came also and became small farmers in western Virginia. The tide-water shores, however, were the natural home for a land-owning aristocracy, disassociated from trade and

commerce. The very crops led to large plantations of tobacco, and farther south, rice and indigo.[1] Society naturally divided itself into the great and the little, and when cotton became King, as it did after the Yankee Whitney invented the cotton gin, slavery grew apace and widened the gulf between rich and poor.[2] In New England, except Rhode Island, primogeniture and entail were abolished in the beginning, and property on death was divided equally among all of the children, except that in New England for a time the eldest son received a double portion. In Virginia the large estates were kept together by entail until 1776 and primogeniture until 1785, when they were abolished at the instance of Jefferson.[3]

New England, like Virginia, had "indented servants" — servants bound to service for a period of years without pay, but these in New England were few in number and soon became free and independent producers, while in Virginia indented servants increased; wealth became more and more influential; large, widely separated plantations of tobacco engrossed the land; towns did not grow; varied industry did not exist; shipping and commerce were in outside hands; the small planter could not compete in raising tobacco; and hence there arose a landed aristocracy.[4]

America owes much to that landed aristocracy. It produced men of the very highest type in establishing free governmental institutions, but in the long run it was fatal to Virginia itself, where the fields became impoverished by excessive use. Slavery flourished in Virginia because its great plantations required concentrated physical labor. But it did not flourish in New England, where the cold climate and sterile soil yielded small returns. There manufacturing, fishing, and shipping were turned to.

Back in the interior of the South different conditions prevailed from those on the tide-waters. In early colonial times western Virginia was settled by Scotch, Scotch-Irish, and Germans from western Pennsylvania, and these with the older small

farmers outnumbered the tide-water aristocracy. They were poor, but not "poor whites," as that term is used.[1] Hildreth says that in 1705 in Virginia there were from ten to thirty men on each of the four great rivers, from whom were chosen the council, assembly, justices, and other officers of government. In other words, they controlled the province. Hildreth further says that in 1704: "The same causes which tended in Virginia to build up a local aristocracy, operated also in Maryland. The cultivation of tobacco enriched a few; but the great proportion of the planters, 'a careless, unthinking sort of folk,' were degraded by ignorance and overwhelmed with debt."[2] "Tidewater Virginia" is the land between the sea and the falls where navigation ends on the rivers. That was called the Coastal Plain Province. There was the home of the aristocratic planters, each planter having his own wharf on a river where English ships delivered English goods and took away American tobacco. Between the falls (called the fall-line) and the foot of the Blue Ridge mountains is the "Piedmont Belt" of fertile land, extending from Pennsylvania to Alabama. Here dwelt the Scotch-Irish, Germans and small farmers, English, Scotch and other nationalities, plain people but a fine stock. West of the Blue Ridge is the Valley of Virginia drained by the Shenandoah and other rivers. "The Piedmont plateau, which lies at the eastern foot of the Blue Ridge, is not really a plateau but a peneplain or ancient lowland worn almost to a plain. It expands to a width of one hundred miles in Virginia and the Carolinas and forms the part of those States where most of the larger towns are situated."[3]

But the backwoodsmen had their own ideas and individuality. They were the ones who sent Patrick Henry to the House of Burgesses. Governor Spotswood said in 1723 that in several counties the people were bent on "excluding the gentlemen from being burgesses, and choosing only persons of mean figure and character." But Adams in his History of the United States says: "Nowhere in America existed better human material

than in the middle and lower classes of Virginians. As explorers, adventurers, fighters, — wherever courage, activity, and force were wanted, — they had no equals; but they had never known discipline, and were beyond measure jealous of restraint. With all their natural virtues and indefinite capacities for good, they were rough and uneducated to a degree that shocked their own native leaders. Jefferson tried in vain to persuade them that they needed schools. Their character was stereotyped, and development impossible." [1] And yet, as Morison points out, it was in the Shenandoah Valley in Virginia that Lincoln's grandfather lived until 1784.[2] The Shenandoah Valley in Virginia, however, was the source of great trouble to the Northern Army during the Civil War.[3] Speaking of Virginia in 1776, Bancroft wrote: "Its people, having in their origin a perceptible but never an exclusive influence of the cavaliers, had sprung mainly from adventurers, who were not fugitives for conscience' sake, or sufferers from persecution, or passionate partisans of monarchy. The population had been recruited by successive infusions of Scotch-Irish Presbyterians; Huguenots, and the descendants of Huguenots; men who had been so attached to Cromwell or to the republic that they preferred to emigrate on the return of Charles the Second; Baptists, and other dissenters; and in the valley of Virginia there was already a very large German population. Besides all these, there was the great body of the backwoodsmen, rovers from Maryland and Pennsylvania, not caring much for the record of their lineage." [4] Andrews writes, "Before the land seekers of the southern tidewater had reached the back country, the Scotch-Irish and the Germans had entered the mountain valleys of Maryland, Virginia, and the Carolinas, and had developed a separate agricultural and industrial life of their own, independent of the tidewater but in close communication with the regions in the North whence they had come." [5]

North Carolina was also settled largely from Pennsylvania

— English, Scotch-Irish, besides Scotch, Swiss, French Protestants, and Moravians.

As to South Carolina Adams says that there "the interesting union between English tastes and provincial prejudices, which characterized the wealthy planters of the coast, was made more striking by contrast with the character of the poor and hardy yeomanry of the upper country. The seriousness of Charleston society changed to severity in the mountains. Rude, ignorant, and in some of its habits half barbarous, this population, in the stiffness of its religious and social expression, resembled the New England of a century before rather than the liberality of the Union. Largely settled by Scotch and Irish immigrants, with the rigid Presbyterian doctrine and conservatism of their class, they were democratic in practice beyond all American democrats." [1] The western part of South Carolina was settled largely by Scotch-Irish from North Carolina, Virginia, and Pennsylvania, and they struggled for supremacy with the rich planters of Charleston and the seacoast.

In Georgia the early colonists were German Lutherans, Piedmontese, Scottish Highlanders, Swiss, Portuguese, and English. Then in 1752 the main tide of immigration set in from the Carolinas and Virginia.

The Kentuckian, like the Virginian and the New Englander, is an American type distinct from all others. The "Kentucky Colonel" is famous. And he has had a stormy history. Kentucky in colonial times was so prolific of game — buffalo, elk, deer and bear, wild fowl, etc., as well as wild-cat, panther and wolf — and was so attractive, that no Indian tribe was strong enough to take and hold it,[2] and so various tribes hunted over it spasmodically. It was known to the Indians as "the Dark and Bloody Ground"; also as "the Middle Ground" between the Five Nations (Iroquois) and the Cherokees.[3] The great forests and the rich grasses made it the favored land west of the Alleghanies. In 1768 Finley, a North Carolina frontiersman, went

through Kentucky and found not one white man's cabin.[1] In 1769 Daniel Boone, another North Carolinian but born in Pennsylvania, went in. The main reason why settlers were slow to go west of the Alleghenies was that in 1763 at the close of the French war, whereby England acquired all of that region, the king by proclamation turned it into an Indian reservation and ordered existing settlers to get out and forbade others coming in, except by special license. Historians differ as to the purpose of this.[2] This proclamation included the whole country from the Alleghenies to the Mississippi, but was largely a dead letter. Few went out; some came in,[3] and yet, as Farrand says, it held "back the mass of the population until near the time of the Revolution, when a few bands of settlers moved into Kentucky and Tennessee and rendered important but inconspicuous service in the fighting. But so long as the title to that territory was in doubt no considerable body of people would move into it, and it was not until the Treaty of Peace in 1783 determined that the western country as far as the Mississippi was to belong to the United States that the dammed-up population broke over the mountains in a veritable flood."[4] It is hardly correct, however, to say that the Kentuckians' service in the fighting was inconspicuous. One of the most thrilling and far-reaching achievements of the Revolutionary War took place there. George Rogers Clark of Kentucky in 1778 with a hundred and seventy-five men captured from the unsuspecting British the posts Kaskaskia (in Illinois on the Mississippi eighty-eight miles south of St. Louis), Cohokia (in Illinois opposite St. Louis, a Spanish settlement), and Vincennes, Indiana. This last was taken, retaken by the British, and then taken again by Clark. When the Treaty of Peace was made in 1782 all that vast territory passed to the United States, largely because Clark had conquered and held it.[5] In fact, in 1774, prior to the Revolutionary War, Parliament in asserting its title by the Quebec Act had transferred to Canada as a province all of the present United States northwest of the Ohio River to the

head of Lake Superior and the Mississippi — five of the present states.[1]

The first trail opened by the colonies to the great Ohio Valley was from northwestern North Carolina over the mountains to Watauga (now northeastern Tennessee), thence through the Cumberland Gap by the Wilderness Road northwest into Kentucky. Watauga was settled in 1769, the settlers being from North Carolina, Virginia, and South Carolina. In 1773 the first settlement was made beyond the Cumberland Mountains in Kentucky. In 1775 Daniel Boone and thirty road-makers constructed on this route the Wilderness Road, or rather trail, indicated by blazed trees and removal of underbrush until the "blue grass" region was reached. The trail was two hundred miles long.[2] Over it there soon began to pour Scotch-Irish and English from the Southern Colonies and Pennsylvania, the route by Pittsburg and down the Ohio being blocked by Indians, while further north the British and Indians were still in possession.

Kentucky rapidly took the lead. Later western Tennessee, southern Ohio, southern Indiana, southern Illinois, and Missouri received the overflow and increase. Both north and south of that great wedge of territory the Indians were in possession long after the Revolution. The whole population north of the Ohio River in 1790 was only 4780, and it was not until 1795 that "Mad Anthony" Wayne, after defeating the Indians, obtained from them by treaty all of southern Ohio and southeastern Indiana.[3] "Kentucky was the political and cultural leader of the West until late in the period — it was not until 1820 that Ohio gained a clear superiority in population — and the racial stock of early Kentucky, mostly lovers of pioneer life with little ability for either cultural or economic achievement, but with a sprinkling of daring and capable political leaders, was to determine to no small extent the character of the frontier until after 1840."[4] In 1779 Kentucky had only 176 white men.[5] By the census of 1800 it had 220,955, while the rest of the whole western country had only

165,458, namely, Indiana 5641; Mississippi 8850; Ohio 45,365; and Tennessee 105,602.[1] In 1920 Kentucky's population was 2,416,630 and of this only 30,906 were foreign born, and those were chiefly in Louisville. It is an American state with a decidedly Kentuckian flavor. Its soil is rich in limestone and it produces tall, powerfully built men and handsome women; hospitable, generous, and not obsessed with love of money. It may not be particularly intellectual but it is highly intelligent and human, and could be ill spared from these United States. Charles Dudley Warner wrote: "It would be no disadvantage to anybody if the graciousness, the simplicity of manner, the refined hospitality, of the blue-grass region should spread beyond the blue limestone of the Lower Silurian."[2] Irvin S. Cobb, himself born in Kentucky, describes the Kentuckian as follows: "A well-born Bostonian, and notably one who, besides being a Bostonian, is a Harvard graduate, ever bears himself as a being conscious of his innate superiority above the run of humanity. When you come in contact with a properly bred Bostonian who has been through Harvard, it is very much as though you met an egg which enjoyed the unique distinction of having been laid twice and both times successfully. But the pride of one of these seems almost faint, indeed, sometimes almost puny, when you measure it against the pride of a Kentuckian of whatsoever estate. For you, the alien, he has only pity that your parents should have been so ill-advised as to choose for your birthplace another part of the country when possibly, if they had hurried, they might have got to Kentucky in time for you to be born there. In his sympathy for you he condones their negligence; yet, without the use of words, he somehow impresses upon you the consciousness of your inferiority and at the same time tries to make you understand how sorry he is for you. To him, his State is the one which is without fault or shortcomings. Privately, and in the bosom of his family so to speak, he may possibly admit that she falls a trifle short once in a while, but no outsider ever will hear from his lips such an

admission. He is a pattern to advance agents everywhere." [1] A traveller on a train in Kentucky in 1871 reported: "Every man in the car was a Judge, or a Colonel or a General, except one, and he was the gentlemanly and urbane conductor."

Nor is Tennessee to be ignored. In the Revolutionary War the Tennesseeans were more than busy in fighting the surrounding Indians who took the war path in behalf of the British. But in 1780 when Cornwallis was overrunning South and North Carolina, the Americans sent over the mountains to Tennessee the Macedonian cry and four hundred Tennesseeans responded with varying success as against Ferguson and Tarleton. And after Gates' ignominious defeat at Camden, South Carolina, in August, and after Ferguson and Tarleton had driven the Americans back to the mountains, and Ferguson threatened to cross the mountains into Tennessee and raze the settlements and hang the leaders,[2] the Tennesseeans swiftly gathered and crossed the mountains themselves a thousand strong under Sevier and Shelby, increased to sixteen or eighteen hundred by recruits on the way. Ferguson with some eight hundred men or more tried to escape. The Tennesseeans selected 910 picked men who rode without food or rest for fifteen hours and at Kings Mountain killed or captured Ferguson's force and killed Ferguson himself.[3] Then they rode swiftly back to fight their Indian foes. Kings Mountain heartened the Americans and crippled the British. Greene took the place of Gates and outmaneuvered Cornwallis into Yorktown where Washington captured him. Later Greene called for Sevier again and he responded with 200 men and helped Marion drive Stuart into Charleston. That was near the end.[4]

Turning again to Ohio, Indiana, and Illinois, the South settled the southern parts of those states long before the Indians were driven from the northern parts, and before the New Englanders and New Yorkers poured in.[5] As late as 1810 nearly half of Ohio was unoccupied. "Southerners from Virginia and Kentucky had pushed their way north from the Ohio River; Pennsylvanians

and New Yorkers had worked inland from the eastern border, while New England men and women had built homes in half of the Western Reserve." [1] This famous Western Reserve was in the northeastern part of Ohio. It began on Lake Erie on the line between Ohio and Pennsylvania; ran south on that line about 65 miles to latitude 41° (near Youngstown) then directly west for 120 miles (a little over halfway across the state), thence north to Lake Erie again. It took in about one-eighth of the state. It included Cleveland, Sandusky, Ashtabula, and Akron, and originally was settled almost entirely by men from Connecticut. This "Reserve" was retained by Connecticut when it joined with Massachusetts, New York, Virginia, and the Carolinas (1780–1786) in deeding their western lands to the United States government.[2] All of those states claimed that their boundaries extended indefinitely westward. Ohio today is a composite of Southerners from Virginia and Kentucky in the south, New Yorkers and Pennsylvanians in the east, and New Englanders in the north, all mingling and intermingling,[3] and producing that remarkable compound of urbanity and ability known as the Ohio man. In 1860 the census reported that in Ohio the natives of Pennsylvania alone outnumbered the natives of all the Southern states, but of course the natives themselves of Ohio, numbering over a million, were very largely of Southern origin.[4]

Indiana is more Southern than Northern. "The typical 'Hoosier' of today is far more like a Kentuckian or a Carolinian than he is like a New Yorker or a man from the Bay State." [5]

Illinois also was settled by these diverse elements; the south from the South; the north from the North. "In 1818, when the territory became a state, only the southern half had as yet been occupied, and that portion wholly by representatives of Virginia, Kentucky, and the Carolinas . . .; every one of the first six governors was a Southern man; for twenty-five years the senators and representatives of the new state were almost without exception men born south of the Ohio." [6] Those people produced

Lincoln. In the northern part of the state a flood of settlers came in from New York, New England, and abroad; filtered through the central and southern parts; and finally dominated the state.

After the Missouri Compromise of 1820 the Southern tide turned towards Missouri and later to Texas. Later still California drew from both North and South and there they blended to form a civilization unique and militant.

Fundamentally the North and South always have been and are one; in character and the cardinal virtues; in race, English; in laws and institutions, Anglo-Saxon; in ideals, a republic and equality of opportunity; in life, the production of a higher and higher type of men and women. It is with a feeling of awe that one views the greatness and ponders on the destiny of such a country and such a people.

But slavery largely stopped white immigration to the South after colonial times. The South thenceforth relied on its own native white stock for increase of the white population. The result is that the white stock of 1776 in the South has preserved its identity and purity more clearly than in any other section of the country. It is a curious fact that while New Englanders prior to 1776 were almost entirely of English descent, but now are being outnumbered by foreigners, the South on the contrary, which was originally settled by many nationalities, has today practically the same stock as in 1776.

Historians have denounced without limit the "reconstruction" of the South. And it certainly was badly conceived and carried out. But one fundamental fact is not mentioned. The solid Southern electoral vote with that of New York and Indiana (both normally Democratic) would in 1876 have elected the President. The North was not willing that the recent rebels should again and so soon vault into power. Hence public sentiment did not revolt at the high-handed measures to circumvent the solid vote of the solid South. The underlying motive was right; the means

adopted were wrong. The "reconstruction" (really "destruction") did at least two things; it demonstrated the utter political incapacity of the negro (a lesson needed by the North); and it tempered the pre-war arrogance of the southern aristocracy (a lesson needed by the South).

It is to be remembered, however, that the aristocratic part of the South, although a minority in numbers, has had a tremendous influence on the government and political institutions of the United States — at times and for long periods, a preponderating influence. The tide-water Southern planter, true to his aristocratic origin, became still more dominating in his nature by reason of his absolute control over the negroes who certainly needed control. The Southerner has never taken to science, literature, art, inventions, philosophy, or profound learning, and he is not a great captain of industry, but in one thing he certainly showed himself masterful, namely, in government. He dominated and dictated to the North, until the great moral issue of slavery found him on the wrong side, and even then he went to war rather than give up his power.[1] Adams wrote in his Diary in 1837: "In the South, it [slavery] is a perpetual agony of conscious guilt and terror attempting to disguise itself under sophistical argumentation and braggart menaces." [2]

Ten thousand men comprised the upper class of the South.[3] They plunged thirty-one million people into a terrible war.[4] It shows what an aristocracy will do to keep its power. The Southerner has never been reconciled to the result and still maintains his ascendency in one of the two great political parties. He has been practically in control of the government twice since the Civil War, but that control left much to be desired. He is forceful, adroit, and successful in political manipulation and maneuvers, but not deep nor far-seeing. He is honest in administration and clear sighted as to the immediate effect of men and measures. Personally he has quiet, affable manners and wishes to be friendly, but this does not interfere with his determination

to occupy the center of the stage and have the final say. He is not disloyal to the federal government; neither is he enthusiastically loyal. His interests are so bound up in negro labor that he is suspicious of Northern control which for a time put the negro over the Southern white. This complicates a political problem that already was complicated enough. Gradual industrial changes will alone give a solution. Cuban tobacco is better than Southern tobacco; the boll-weevil in the South renders the growth of cotton in other parts of the world inevitable; while on the other hand cotton manufacturing and diversity of crops are enlarging the mental outlook and perspective of the Southerner. The old time Southern aristocrat is no longer in power. As Professor Thompson says: "Politically the ordinary man is in command. Naturally he has made some mistakes in the men he has chosen to represent him in his state legislature or at Washington, for democracy does not always bring the wisest men to the top. Some have been demagogues, some have shown themselves unwise and intolerant, some have been unequal to great responsibilities. They have offended against good taste oftener than the representatives of the old South, and perhaps as a whole they are not so strong. Some of them, however, take rank with the best of the old régime and are proving that the new South still breeds statesmen. Such as they are they represent the struggle of the people to find themselves." [1] The South and Tammany Hall are strange political bedfellows and have little in common, but under the two-thirds rule the South can prevent the nomination of any particular democratic Presidential candidate. When the solid South breaks up this alliance will cease.

The growing wealth of the North will sooner or later produce its inevitable result — corruption and the clash of diverse elements for power. It is well for the whole country that it has one part to which it can turn as an alternative. The South is not deep but it knows government and it does not hesitate to take up the gauntlet flung down by misplaced power.

Let it never be forgotten that the South produced Washington and Lincoln, who, as Lord Bryce has well said, furnish a tradition to all Americans of all that is highest and purest in statesmanship and unselfish patriotism and faith in the power of freedom. They are the two great national heroes, — household names, — and every schoolboy knows their history. They represent the extremes of the Southern social scale, but they equally represent all that is really great in the American character. Let it be remembered also that Virginia led the way in forming our Constitution and it was the "Virginia Plan" which with many modifications was finally adopted, and Madison was the master artificer of that Constitution. In fact, of the five men who were foremost in the formation of the nation — Washington, Madison, Hamilton, Jefferson, and Marshall — four, as Fiske well points out, were Virginians.[1] Morison says: "It was no accident that Jefferson of Virginia drafted the Declaration of Independence, that Washington of Virginia led the army and became the first President, that Madison of Virginia drafted the Federal Constitution, that Marshall of Virginia became the greatest American jurist, and that he and Taylor of Virginia led the two opposing schools of American political thought." [2] Muckrakers who claim that the commercial and moneyed classes originated the Constitution should be reminded that Virginia took the leading part and yet Virginia had no commercial classes nor capital nor manufactures nor even a single large town.[3] These sensational theorists, who attribute mercenary and sordid motives to every great political development, bring reproach on the economic influence in history.[4] Each of the different schools of what is the moving historical force exaggerates its hobby. There is the economic or materialistic; the "great man," the hobby of Carlyle; the environment, the hobby of Buckle; the scientific; the spiritual; the sociological and psychological; the anthropological and racial; and the theory that there is no ascertainable basis. Each theory has its merits and contributes to a complete knowledge of history,

but none has a monopoly of causation.[1] The so-called "philosophy" of history is the theory that society is an organism, capable of being reduced to a science, showing growth, differentiation and then decay, as with other organisms.[2] Science is pessimistic and is contrary to the optimistic current belief that humanity is continually rising higher and higher. Hence the historians will have none of it. Science might take all of the inspiration out of life. At present the historians prevail.[3] And least of all do they admit that economics fabricated the astonishing structure of the American Constitution.

President Coolidge well said in an address on May 16, 1926, in Virginia: "If the work which is represented by the great names which have been associated with the growth and strength of this region were struck from the annals of our country, the richest heritage of progress and fame that ever glorified the actions of a people would sink to comparative poverty. What a wealth of distinguished figures from the time of John Smith down to the present day. I cannot relate them all, these statesmen and soldiers, these founders and benefactors, who here lived and wrought with so much of enduring glory. They are represented by such stalwart characters as Patrick Henry, George Mason, Richard Henry Lee, Thomas Jefferson, and George Washington. Later came Monroe, Marshall, Madison, Randolph, and Harrison, with a long list of associates almost equally eminent in the history of our country." [4] Chief Justice Marshall was the man who made the Constitution a living, throbbing thing of life; and Jackson was the man who took South Carolina by the throat in 1833, when it started to secede. Furthermore, it was Virginia, through Jefferson and Madison, that boldly led the way to the full experiment of whether the masses are capable of governing themselves — the mission of America in the history of the world. Hamilton, Adams, and the governing classes up to 1800 had no faith in government by democracy. They favored government by the wealthy and well born. Whatever may be said against

Jefferson, he did not shrink from trusting the plain people; in fact, he brought it about. Without it the world would still have doubted the capacity of a republic to govern a vast territory of diversified climate, pursuits, and interests. The experiment was inevitable and had to be made in America, and it was fortunate that it was led by such men. It is still an experiment, but their principles have stood the test up to the present time. Fiske points out that very early in New England the Hamilton idea and Jefferson idea of a later age clashed. John Winthrop, the first Governor of Massachusetts Colony, wrote that the suffrage should be restricted because "the best part is always the least, and of that best part the wiser part is always the lesser." On the other hand, the equally celebrated Thomas Hooker (later the founder of Hartford) replied, "In matters which concern the common good, a general council, chosen by all, to transact businesses which concern all, I conceive most suitable to rule and most safe for relief of the whole." [1] This last is America, the unseen, unexpected, unconscious purpose and destiny of this nation, namely, the possibility and realization of self-government on a grand scale.

The South will be a great conservative force in preserving American institutions. There will be no danger to those institutions from foreign nations. But they may be wrenched by violence within or undermined by using the government for special interests, class legislation, tariff laws, labor laws, "social uplift" laws, confiscatory laws. Southern leadership is as a rule opposed to all this. Centralization of power at Washington also meets the disapproval of the South. Let no one underestimate the value of that kind of conservatism. Last, but far from least, the women of the South are born leaders, with womanly qualities but with great influence over the men, and that influence tempers the steel of the South. The affable, quiet, and attractive manners of the South have tempered the brusqueness of the North and even today such refinement is invaluable.

Southern manners have especially had a profound effect on New York, the Mecca of the South, and thence throughout America.

Of Lincoln, the Professor of History of Harvard says, "Born in 1809 in the border state of Kentucky, there coursed through his veins the blood of a vigorous stock inherited on the one side from New England and on the other from Virginia." [1] The Virginia type of character shares with Massachusetts the creation of the composite Western type — the typical American. And the influence of Virginia is not to be underrated. It had and has a high sense of honor, liberality, courtesy, courage, and respect for law and order that enter into what the world recognizes as character. Langdon Mitchell puts it rather strongly but with much truth when he says, "To this day the social approach of the Southern people, their ease and pleasantness in conversation; their ability and willingness to meet each other, to play games, laugh and be gay and amusing about next to nothing; in short, to lay hold of life and enjoy it with others, are infinitely greater than anything known in New England or the Northwest. They are a happier people and they show it. Is a happy life then nothing? Must we not say that to undervalue grace, gayety, the charm of elegance; to undervalue beauty of behavior, and a heart easily made glad, is to undervalue *life itself;* and, to be far too ready to assume that the Creator of Life desires that it shall be as near to the state of death as sadness, gloom, vacancy, awkwardness and a vain contrition, with unsocial habits, can bring it?" [2]

CHAPTER VI

NEW YORK

The two most commercial races in the history of the world — the English and the Dutch — united in New York to produce what is now the commercial center of the world — New York City. Nature has helped by waterways, and a harbor, and a minimum grade for a railroad through the mountain ranges cleft at Albany. The Erie Canal, furnishing the cheapest and easiest outlet for western produce, soon made New York City easily the chief city of the country. Trade has built up trade until now few great enterprises or financial operations, national, state, or international, are without participation in and by New York. All the business world is represented and all the nations of the earth have representation in New York. There is but one Wall Street in America and but one city that responds to the definition of a "city," namely, a place where no matter what your nationality, your tastes, your ambition, your occupation, your goods or services to sell, your wants or your wishes, you can find in that city a market and a satisfaction.

The struggle for supremacy between New York, Philadelphia, and Boston was highly interesting. New York (New Amsterdam) started with a few Dutch huts about 1610; Boston was founded in 1630; Philadelphia was laid out in 1682. Boston for a hundred years was far and away the largest and most important city of all the colonies. In 1698 Boston had 7000 people; New York 4900; Philadelphia much less.[1] About 1750 Philadelphia forged ahead of Boston, but Boston still had twice the population of New York as late as 1763.[2] In 1776 Philadelphia had 35,000 people; New York 25,000; while Boston had fallen

to third place. By the census of 1790 New York had a population of 33,131; Philadelphia 28,522 (plus suburbs 13,998); Boston 18,038 (plus 9,247 suburbs); Charleston 16,359; Baltimore 13,503; and Salem 7921. By the census of 1820 New York had 123,706; Philadelphia 63,802; Baltimore 62,738; Boston 43,940, including the suburbs; Charleston 24,780; Salem 11,346. But in 1776 the whole Province of New York was one of the lesser colonies, being seventh with only 170,000 people. In 1715 Massachusetts had 94,000 white people; Virginia 72,000; Connecticut 46,000; Pennsylvania 43,300; Maryland 40,700, while New York was a small sixth with only 27,000. But after the Revolution the natural advantages of New York and the constructive genius of its leaders rapidly put it far in advance of its competitors. When commerce was by ships, Boston easily took the lead. The Yankee skipper beat the world, and his top-lofty sails were so high and airy that the British after capturing them in the War of 1812 did not dare sail them; so cut them off.[1] Later when the steamboat and railroad locomotive were invented, New York went to the front.

In colonial times New York was a sort of football of royalty, especially of Charles II. That gay Lothario, whose sole restraint was his determination not to set out on his travels again (in other words, be driven out and cut off from his supplies), was profuse in his hilarious moments (and he had many) in making vast grants of land in America to his favorites, irrespective of whether or not the land had already been granted to others. Under English law colonial lands belonged to the Crown and the King could grant them away without consulting Parliament. Hence when England took from the Dutch all New York territory in 1664, Charles II was in his element. He at once gave his brother, the Duke of York (later James II of whom the English got a great sufficiency in three years and so expelled him), the entire country between the Connecticut River and Delaware Bay, including all of New York and New Jersey and a part of Connecticut and

Massachusetts and all islands south and west of Cape Cod. As Bancroft says, "During the first four years of his power, Charles II gave away a large part of a continent. Could he have continued as lavish, in the course of his reign he would have given away the world." He gave away the whole South, including Virginia, which "was given away for a generation, as recklessly as a man would give away a life estate in a farm." [1] The Dutch caricatured him with a woman on each arm and courtiers picking his pocket. The Duke of York at once sold New Jersey to Carteret and Berkeley, two courtiers.[2] The disputed boundary between New York and Connecticut was not adjusted until 1683;[3] and between New York and Massachusetts not until 1787.[4] Meantime, unfortunately (as David Dudley Field once remarked to the author hereof), the name "New Amsterdam" was changed to "New York," instead of "Manhattan" — one of those melodious Indian names of mingled milk and honey — the Indian's only important contribution to civilization, other than corn and tobacco.

New York at the close of the Revolutionary War drove out thousands of its Loyalist inhabitants. President Falconer of the Toronto University says: "It has been estimated that in New York State, out of a population of 185,000 quite 90,000 were Loyalist, and that two-thirds of the property in the city and suburbs of New York belonged to the 'Tories'; therefore the British never bombarded it. In 1777 Washington, almost in despair because of the disaffection of his troops, wrote, 'If America fall it will be by the death thrust of the Loyalist rather than by the British.' It is true that after peace was declared large numbers who had been Loyalist in sympathy quietly accepted the inevitable, perhaps as many as 55,000 remaining in New York State alone; but it may be said with truth that the conservative element had disappeared." [5] These Loyalists, called "Tories," included many of ability, experience, and integrity; scholars, land owners, and merchants, lawyers and high officials in pol-

itics and administration; men of fine manners and customs.[1] But there was a compensation. It was with the greatest difficulty that New York was induced to accept the Federal Constitution, the New York Convention being at first opposed to acceptance. If the New York Tories had not been driven out, they might have defeated acceptance and certainly later would have joined in the opposition to the Constitution itself when its continuance hung in the balance in John Adams' administration and Monroe's administration and Jackson's administration, finally leading to the arbitrament of war in Lincoln's administration. These Loyalists, if not expelled, would probably have preferred to see popular sovereignty fail, followed by a close alliance between New York and England. J. T. Adams says that the Loyalists were a majority in New York, Pennsylvania, and South Carolina.[2] It is said that fifty or sixty thousand Tories left the colonies and took refuge in what is now Canada.[3] President Falconer says: "Some 35,000 Loyalists entered the eastern province [of Canada] and 5000 came into Canada, the former chiefly from New York City and New England, the latter from upper New York State and Pennsylvania. They were of all sorts and conditions. Social rank and official position were observed in making grants of land, larger areas and also lucrative posts being given to officers and those of higher station. Most of the wealthier Loyalists escaped to England, but some persons of distinction came to the provinces."[4] Hildreth, writing in 1849, said that the American Tories going to Canada and Nova Scotia controlled the politics of those provinces "till quite recently." In fact, President Falconer says, "There would probably have been at this day no British North American colonies had it not been for the immigration of the Loyalists into Canada."[5] This is quite probable in view of the fact that even in 1790 Canada had only about 200,000 people, including these Loyalists. Charles Dudley Warner says: "The original settlers of Ontario were 10,000 Loyalists, who left New England during and after our Revolutionary

War. . . . It is to them, at any rate, that Ontario owes its solid basis of character, vigor, and prosperity." [1]

Strange to say, the cosmopolitan character of New York City has not made its spirit essentially different from the spirit of the rest of the state. This is because New York City by its opportunities and prizes draws to itself vigorous, ambitious spirits from every state of the Union. These carry on the business of New York and stamp their individuality on the acts of New York. Being representative men, they keep New York in line with the country and give New York City an American cosmopolitan character.

The New York English differed from the New England English. The former were commercial; the latter religious. The former came here to better their condition; the latter came to get religious freedom. The church dominated New England but not New York. New York had no politico-religious church to overthrow; no inherited Calvinistic doctrines to restrict every department of life. The New England man later became a great ship owner and skipper, a manufacturer, and "Yankee Trader." But all this was subordinate, his dominant characteristic being conscience and principle. These did not weigh so much with the New York English. They were for trade and wealth; European business ethics and often lack of business ethics were their ethics. Moreover, the commercial spirit of the Dutch prevailed after 1624 when New Amsterdam (New York City) was permanently settled by them. The Dutch owned New York City and the Hudson and Albany, and owned or claimed far into the interior. There of course was more or less clashing of interests, but on the whole the two races got on very well together, and when in 1664 the English quietly absorbed all this Dutch territory, the Dutch did not leave but stayed and intermarried with the English. In numbers the Dutch predominated and in persistence, commercial capacity, and good principles in public and private life they gave much to America and especially to New York City and State.

The result was significant and natural. Trade ruled. The leaders in New York State sprang from the ranks. Biography shows that for the most part the founders of their families came from plain people, just as happens now throughout the country. And they represented the commercial instincts of the English who intermarried and intensified the commercial instincts of the Dutch. After the Revolution commerce and trade called for a strong central government to cure the lack of credit and the interstate conflicts and the currency disorders of the thirteen states, each trying to overreach its neighbor. Hence New York was for a strong central government and never wavered, once that government was established. The New Yorker became known as a man of the world and the state was called The Empire State. And New York State was improved by a strong New England element. Orth says "Washington, with a ring of pride, said in 1796 that the native population of America was 'filling the western part of the State of New York and the country on the Ohio with their own surplusage.' And James Madison in 1821 wrote that New England, 'which has sent out such a continued swarm to other parts of the Union for a number of years, has continued at the same time, as the census shows, to increase in population although it is well known that it has received but comparatively few emigrants from any quarter.' " [1] In the early part of the nineteenth century New Englanders poured into the Mohawk and Genesee Valleys. They were choice men, sturdy with the ax to clear the great forests and till the soil. They brought New England principles with them and tempered the materialistic tendencies of trade.[2] Western New York until about 1800 could not be settled on account of the Indians and the hostility of the British.[3] James Wadsworth wrote in 1790 that the immigrations from New England into New York State "are almost beyond belief," and Timothy Dwight, writing about 1810, said that three-fifths of New York's increase in population after 1790 was from New England and that New York bid fair to

become but "a colony from New England," and that the two were substantially one people "with the same interests of every kind inseparably united." [1] The next generation of this amalgamation pushed on to the west and founded new states with true Yankee characteristics.[2] New England emigration spread over most of New York, the Western Reserve in Ohio,[3] a small part of northern Indiana,[4] a large part of northern Illinois,[5] of southern Michigan,[6] of southern Wisconsin, and then on across the Mississippi to the Pacific coast. Michigan is New York's only child.[7] The southern part of Michigan was originally claimed by both Massachusetts and Virginia, but after they both deeded their claims to the federal government New York settled the country. Michigan in 1813 contained about 40,000 Indians and less than 6000 Americans and even five years later the only titles to land were in the land district of Detroit.[8]

But it is New York City — that maelstrom of Americans and foreigners — that furnishes the spectacular in America. Here the ambitious American, the turbulent Irishman, the stolid German, the money-making Jew, the conservative and safe Dutchman — all are found in great numbers in this city of six millions. Even its government is a composite; lawyers for guiding; engineers for executing; Wall Street for financing. Tammany Hall occupies the stage, furnishes the votes, and takes the patronage. New York City in 1929 had a budget of $538,928,697, plus about $50,000,000 paid by the state to the city for schools, etc. New York is a city of unutterable woe, but is a city also of infinite charity. It has had to bear the burden of the diseases brought in by millions of immigrants and has responded nobly to the call. 42% of the inmates of the New York State insane asylums in 1920 were foreign born; 35% of mixed parentage; and only 23% native born.[9]

New York draws talent from the whole country as a magnet draws steel filings. It is a great arena where the great prizes are won. Strange to add, nowhere in the world does character

united with ability count for more. A career or wealth or society is the lure. It is true that the outside American is not admitted to the old New York society circles unless he has great capacity for spending money (brains being superfluous and uncomfortable), but in commercial circles the outsider is cordially welcomed if he has a great capacity for making money. And the New Yorker knows the world. When he wants anything — political or otherwise — he fills his bag with money and starts for it. New York wanted western trade and dug the Erie Canal and got it. New York wanted a grand city and built it. New York wants to spend money and spends it, lavishly, foolishly, recklessly. New York doesn't like prohibition; so ignores it. Occasionally New York turns on its government and in a spasm of virtue overturns the local government and then forgets all about it and allows the politicians to swarm back again. Millions come to New York to have a good time and have it. Millions come to get a living and don't get it. It is the Imperial City, but in it one is alone with not even the country for company. New York is intellect and gain; Brooklyn is sympathetic. Rich men from all over the country move to New York to do their financing; their families to live the New York life. The old families are being crowded out.

The fascinating New York woman to the manner born is celebrated in Europe and America — a charming creature, although not always easy to live with. She is of the idle rich and squanders money, but there are compensations. Her refinement and exquisite manners have a wide influence on America, where the usual manners have been and are a reproach. Manners may not make the man but certainly carry him far. And fine manners are molded by refined women. The New York woman of the old families has a finish of her own and knows the best of Europe. Her manners justify her existence and she is worth the price. Men yield to her magic touch. She is more numerous than the idle rich men, because most men are busy making money

while she is busy spending it. American civilization gives little for its upper-class women to do, but does give them the ample leisure, repose, and calm, the absence of heat and haste, necessary to the cultivation of manners and the amenities of social life, the unselfish life, the life of the graces. The suffrage is changing all this, and, moreover, pleasure is usurping duty. The women are demanding the privileges of men, but America in its parabolic curves swings wide and yet is true to its Puritanic nature. Meantime city life has not displaced country life in America, and nearly half of our population is in the country or in small towns of less than 2500 people.

New York is a just city. It judges accurately the trustworthiness and ability of a man and utilizes him accordingly. All doors are open to him in the direction for which he is fitted. All doors are closed tight in every other direction. Time is the sifter. It is no kindness to a man to place him out of place. It is no unkindness to let him shift for himself and then offer him unlimited opportunities for what he is fitted. New York does this. In return, as Emerson says, "Every man who removes into this city with any purchasable talent or skill in him, gives to every man's labor in the city a new worth." [1]

New York is now the financial center of the world; the meeting place of all races; the lure of the richest and most powerful nation in existence; it represents every phase of American traits and has all their vices as well as all their virtues.

CHAPTER VII

PENNSYLVANIA

Albert Gallatin, one of the four great Secretaries of the Treasury (Hamilton, Chase, and Mellon), born in Switzerland but raised and fashioned in Pennsylvania, said: "In Pennsylvania, not only we have neither Livingstons nor Rensselaers, but from the suburbs of Philadelphia to the banks of the Ohio I do not know a single family that has an extensive influence. An equal distribution of property has rendered every individual independent, and there is among us true and real equality." [1] The result has been that Pennsylvania, as a solid bar of democracy between the North and South, has always supported the Union, aside from the whisky episode, and when has whisky not been a law-disturbing element? Time and again it has cast its solid vote, in Congress and out, for the preservation of the Union. It properly has become known as the "Keystone State." Nor should Robert Morris of Pennsylvania, who as Superintendent of Finance sustained the terrible finances of the Revolution and pledged his own fortune in the cause, be forgotten. When the ragged troops of Washington, "almost naked with mere linen vests and trousers, most of them without stockings; but . . . looking very healthy and in the best of spirits," [2] with the brilliantly equipped French, swept south through Philadelphia in their rapid march to Yorktown, Morris went from house to house begging contributions for the American soldiers.

"The old continentals
In their ragged regimentals
Yielding not." [3]

Henry Adams in his "History of the United States" says that "in every . . . issue that concerned the Union, the voice which spoke in most potent tones was that of Pennsylvania. This great State, considering its political importance, was treated with little respect by its neighbors; and yet had New England, New York, and Virginia been swept out of existence in 1800, democracy could have better spared them all than have lost Pennsylvania. The only true democratic community then existing in the eastern States, Pennsylvania was neither picturesque nor troublesome. . . . If its soil bred little genius, it bred still less treason. With twenty different religious creeds, its practice could not be narrow, and a strong Quaker element made it humane. If the American Union succeeded, the good sense, liberality, and democratic spirit of Pennsylvania had a right to claim credit for the result. . . . The people showed little of that acuteness which prevailed to the eastward of the Hudson. Pennsylvania was never smart, yet rarely failed to gain her objects, and never committed serious follies. . . . They indulged in endless factiousness over offices, but they never attempted to govern, and after one brief experience they never rebelled. Thus holding abstract politics at arm's length, they supported the national government with a sagacious sense that their own interests were those of the United States." [1]

By 1760 Philadelphia passed Boston and was not only the largest city but also the social center of the colonies. In 1776 Philadelphia had 35,000 people; New York 25,000; Boston less, but Boston was more important than either, commercially and in culture.[2] In Pennsylvania every European language was spoken, so varied had been its immigration. Germans (erroneously called "Pennsylvania Dutch") were there in great numbers, particularly as farmers. Quakers under William Penn had founded the commonwealth, and they lent sobriety, continuity, and even a somber hue to the Pennsylvania character, but there was no music and laughter and joy in their lives and they wouldn't

fight in a fighting world.[1] At one time three Quaker counties in Pennsylvania with less than half the population of the province elected 24 of the 36 deputies in the Assembly. The Quakers occupied the eastern counties; the Germans the center; while as to the Scotch-Irish, Professor Becker well says: "Sometimes mixing with the Germans, the main body of the Scotch-Irish was everywhere farther west. Too martial to fear the Indians, and too aggressive to live at peace with them, they were the true borderers of the century, the frontier of the frontier, forming, from Londonderry in New England to the Savannah, an outer bulwark, behind which the older settlements, and even the peace-loving Germans themselves, rested in some measure of security." [2] In other words, the Quakers wouldn't fight; the Germans didn't want to fight; the Scotch-Irish loved a fight. Hildreth says that in 1740 the Quakers in Pennsylvania were less than a third of the population, "but their wealth and union gave them control of the Assembly, in which they filled most of the seats. They were also warmly supported by the Germans, who did not favor taxes, and were little disposed to serve as militia-men." [3] But the Quakers, with some exceptions, would not fight, and with savage Indians overrunning the province, peace was impossible. Then came the seven years' war between England and France from 1756 to 1763, resulting in England taking Canada and the West from France. The Quakers did not help much and their rule rapidly neared an end. In 1764 the backwoodsmen marched upon Philadelphia to reach some Indians, who had taken refuge there. The Quakers and Germans gathered to protect the city and civil war was imminent. It was averted largely by the diplomacy of Franklin. This marked the close of Quaker supremacy and the beginning of the predominance of the Scotch-Irish pioneers. The Quakers voluntarily gave up control because the English government in 1756 had insisted on fighting men taking charge.[4]

Immigration due to iron, coal, and oil has not materially changed the Pennsylvanian. It has taxed his capacity for organ-

ization and his capacity to rule a horde of unruly immigrants from southern and eastern Europe, but rule them he does. Imperturbable, the Pennsylvanian makes new laws to meet new conditions. He is a sturdy, forceful character. The politics of Pennsylvania are demoralized — demoralized by the railroads and protected industries, especially steel, in spite of the Quakers and the "Dutch." Tammany Hall "pales its uneffectual fire" in comparison. But the heart of the people is sound, and some day Pennsylvania will be itself again.

The Scotch-Irish element in its population accounts for much. The Quakers not only would not fight, but were opposed to higher education and gave themselves to money making. The Quakers produced William Penn, Benjamin West the painter, Whittier, Bayard Taylor, General Greene [1] and John Dickinson the patriot. But they have left no mark commensurate with their numbers and high character. Practically they disappeared from public life and influence after the Revolution and they lost control even of Philadelphia. They are passing as a separate people, but their influence and ideas are still potent in America.

Of the Germans in Pennsylvania not so much can be said. Even Pennsylvanians themselves differ as to whether the Germans have been beneficial to the highest interests of the state. They have had a great influence because of their number, being variously estimated as comprising from one-third to one-half of the population of the state. In 1790 they were about one-third. They have not intermarried freely with other elements and they have retained their old customs and to a large extent their old language. However, although phlegmatic, they are steady and have always supported law and order and the national government. They help American institutions by their conservatism and staying qualities.

Pennsylvania can be relied upon.

CHAPTER VIII

THE SCOTCH-IRISH

One of the great lessons of history is that a composite race, fused from strong and fairly homogeneous elements, is apt to make a remarkable record.[1] The amalgamation of the early Romans with the Samnites and other adjacent tribes produced a type, rude, to be sure, and rustic and unlettered, but warlike, frugal, hardy, and just. They conquered and governed the civilized world. In England the fusion of the Anglo-Saxon and Norman produced the modern Englishman, who again rules a large part of the world. The English at an early day planted themselves in Ireland and intermarried with the Irish and produced such statesmen as Burke, such soldiers as Wellington, such writers as Sheridan. The Americans of 1776 were in large part a composite. Professor McDougall says: "The crossing of the two most widely different stocks, stocks belonging to any two of the four main races of man, produces an inferior race; but the crossing of stocks belonging to the same principal race, and especially the crossing of closely allied stocks, generally produces a blended subrace superior to the mean of the two parental stocks, or at least not inferior." [2]

One of the elements of this composite American was a certain mixed race, small in numbers but great in force of character and in qualities that count much in the world — the Scotch-Irish. The Scotch claim that the Scotch-Irish are Scotch; the Irish that they are Irish. This is a tribute in itself. There can be little doubt that they contain a substantial strain of Irish blood. Their very qualities show it; the persistence, wariness, calm, and courage of the Scot; the pugnacity, aggression, quickness,

and temerity of the Irish. Well diluted the Irish strain was admirably suited to supplement the Scot. The dash of bitters did no harm. Roosevelt admired the Scotch-Irish, but he says they "were a truculent and obstinate people."[1] Certainly some of their characteristics as shown in Kentucky and Tennessee had an Irish tinge and tang. The Quakers of Pennsylvania petitioned against their immigration and said they were a "pernicious and pugnacious people . . . who absolutely want to control the province themselves."[2] Chambers, a Pennsylvania Scotch-Irishman, writing in 1856 took great exceptions to the following description of that race by Sargent. "They were a hardy, brave, hot-headed race; excitable in temper, unrestrainable in passion, invincible in prejudice. Their hand opened as impetuously to a friend, as it clinched against an enemy. They loathed the Pope as sincerely as they venerated Calvin or Knox, and they did not particularly respect the Quakers. If often rude and lawless, it was partly the fault of their position. They hated the Indian, while they despised him; and it does not seem, in their dealings with this race, as though there were any sentiments of honor or magnanimity in their bosoms, that could hold way against the furious tide of passionate, blind resentment. Impatient of restraint, rebellious against anything that, in their eyes, bore the semblance of injustice, we find these men readiest among the ready, on the battle fields of the revolution. If they had faults, a lack of patriotism or of courage was not among the number."[3] I see nothing wrong in that description. The faults are the faults of raw material capable of great finish in the final product. Some writers state that the Scotch-Irish molded the dominant type of Westerner. That was true in Kentucky and Tennessee and southern Ohio, southern Indiana, and southern Illinois,[4] but as to the Northern states and the Northwest generally the Scotch-Irish cut little figure as compared with New England and New York.* Henry Cabot Lodge said that of

* See pp. 82–84, 96–97, *supra*.

14,243 eminent Americans prior to 1789 in Appleton's "Encyclopedia of American Biography," 10,376 were English; 1439 Scotch-Irish; 659 German; 589 Huguenot; 436 Dutch, and the rest scattering.

The historic origin of the Scotch-Irish is not very clear. Several centuries before the Christian era most of Ireland was conquered by the "Scotti." They apparently came as a part of the great horde of Celts from Scythia, northeast of the Black Sea — a wild race that defeated Darius in 512 B.C. and was defeated and dispersed by Philip of Macedon in 339 B.C. The Irish were sometimes called "Milesians" from a chieftain named Miled, the Latin translation of which was *Milesia*. Ireland was known as "Scotia," and that name continued until the end of the twelfth century of the modern era when that name was dropped in Ireland and was applied to modern Scotland. Prior to that time Scotland had been called Caledonia, the Roman name. In the fourth century these Irish "Scotti" conquered Ulster in the north of Ireland. Later in the beginning of the sixth century they overran and established themselves in the western part of Scotland, especially Argyll. As the "Encyclopædia Britannica" says: "The Scots from Ireland also now come into view, the name of Scotland being derived from that of a people really Irish in origin, who spoke a Gaelic akin to that of the Caledonians."[1] A thousand years later, in the sixteenth century, some of the descendants of these invaders of southwestern Scotland returned and in large part repeopled Ulster. In fact, Froude says that the Scotch had been going into Antrim and Down in Ireland for three centuries before 1640. Meantime in the beginning of the ninth century the Scandinavians had overrun Ireland, including Ulster, and stayed there for three hundred years. Meantime also in 1170 the Anglo-Normans under Strongbow of Wales and Henry II of England began the conquest of Ireland, but apparently Ulster was only nominally subjected, and by the end of the fifteenth century Ulster became

practically Irish. Early in the sixteenth century a steady migration of Scotch into Ulster took place. Under James I after the "flight of the earls" the whole of northern Ulster was seized by the English government and was parceled out among Scottish and English settlers, portions being reserved to the natives. Derry was given to London and it was renamed Londonderry. Six counties were confiscated, being about two million acres. About one and a half millions of this, consisting of bog, forest, and mountain, were restored. The other half million acres, being all of the desirable land, were settled with Scotch and English Protestants. Froude says half were English, but Froude is not always accurate, and the weight of authority is that most of them were Scotch. The Scots from Argyll probably formed a part of the new settlers, although they were forbidden to come. At one point the sea separating Scotland from Ireland is only thirteen and a half miles wide, a short run in a fair wind, although that part of the sea was full of pirates, which deterred many English from going. About 11% of the half million acres were allotted to native Irishmen as "Undertakers," *i.e.* promoters. It was at first intended to remove all of the native Irish from these confiscated lands, but that was impracticable and so they remained as tenants and laborers. There was more or less intermarriage although the religions were different, and the law severely forbade it, and the social relations were antagonistic. But, on the other hand, the Irish have great absorbing power, as shown by their transformation of the English who settled in Ireland in the twelfth century, and who are said to have become more Irish than the Irish themselves. Intermarriage to some extent took place during the hundred years between the settlement of Ulster and the time when Scots began emigrating to America. Moreover, the Irish and the southwestern Scots were both of Celtic origin and had a common background. Lord Bryce, himself a Scotchman, said in an address: "As Scotch-Irish, you are the off-spring of two races: one of them — the Irish —

is Celtic; the other, the Scottish, is half Celtic and half Teutonic, for the people of Scotland are a blend of two Teutonic elements, the Anglian and the Norse, with two Celtic elements, the Gaelic and the Cymric. There are also the Picts, but you will not expect me to venture to say who the Picts were." [1] Bryce overlooked the substantial English element which contributed invaluable qualities to the Scotch-Irish.

From all this it will be seen that the early colonization of Argyll and southwestern Scotland by the Irish "Scotti" in the fourth century, and the return colonization from Argyll in the sixteenth and seventeenth centuries, and the intermarriage after James I show an Irish element in the Scotch-Irish blood. It is to be borne in mind also that after Cromwell with the sword of Gideon in 1649 put down with ruthless hand the Irish Rebellion of 1641 some of his soldiers settled in Ulster, and he intended to colonize all Ireland but was quite busy otherwise and Ireland fell back into the old ways. After the death of Cromwell persecution took the place of conquest and in less than sixty years thereafter the exodus to America began.

Fiske says, "Who were the people called by this rather awkward compound name, Scotch-Irish? The answer carries us back to the year 1611, when James I began peopling Ulster with colonists from Scotland and the north of England. The plan was to put into Ireland a Protestant population that might ultimately outnumber the Catholics and become the controlling element in the country. The settlers were picked men and women of the most excellent sort. By the middle of the seventeenth century there were 300,000 of them in Ulster. That province had been the most neglected part of the island, a wilderness of bogs and fens; they transformed it into a garden. They also established manufactures of woolens and linens which have ever since been famous throughout the world. By the beginning of the eighteenth century their numbers had risen to nearly a million. Their social position was not that of peasants;

they were intelligent yeomanry and artisans."[1] Fiske also points out that only three generations after they went to Ulster they began coming to America. He says that intermarriages with the Irish "were by no means unusual," although the antipathy between them as a group and the Irish as a group was "perhaps unsurpassed for bitterness and intensity."[2] He says the Scotch were "very slightly hibernised in blood."[3]

These Scotch-Irish hated England with a hatred born of tyranny — tyranny of industry and the destruction of their woolen manufactories and even the export of wool — tyranny of the English established Church — tyranny of exclusion from office. English historians excuse the English monopoly of colonial trade and manufacturing on the ground that all colonizing nations at that time did the same. This was true as to trade, but as to manufacturing the Spanish, Portuguese, Dutch, and French colonies had no manufactories of any consequence. England suppressed them in America and Ireland whenever they interfered with English manufacturing. No taxation without representation was the American revolutionary cry and rallying point, but the monopolizing of trade and manufacturing struck deeper and destroyed the whole basis of colonial loyalty to England.[4]

Hence from 1719 to 1782 the Scotch-Irish poured into America. Lecky describes them as irresponsible, wild, and rude when they went to Ireland from Scotland and England, but the same might be said of the frontier Americans. Arthur Young, a high authority, wrote, "Men who emigrate are, from the nature of the circumstance, the most active, hardy, daring, bold, and resolute spirits, and probably the most mischievous also."[5] Hildreth described them in Pennsylvania in 1792 as "a race of men of great energy and decision, but never distinguished for quiet or subordination, and whose hasty and ferocious temper had already more than once stained the history of Pennsylvania with blood."[6] Logan writing in America in the early part of the

eighteenth century said, "We are . . . very much surprised at the vast crowds of people pouring in upon us from the north of Ireland." [1] Skinner points out that in 1666 Charles II beat down Ireland by prohibiting the exportation of beef to England and Scotland, and excluding all direct trade with the colonies, and requiring conformity with the practices of the Church of England. Skinner further says of the Scotch-Irish, "The first attacks struck at their religion; but the subsequent legislative acts which successively ruined the woolen trade, barred nonconformists from public office, stifled Irish commerce, pronounced non-Episcopal marriages irregular, and instituted heavy taxation and high rentals for the land their fathers had made productive — these were blows dealt chiefly for the political and commercial ends of favored classes in England." [2] Bancroft says, "The Scotch, who had made a sojourn in Ireland, abandoned the culture of lands where they were but tenants, and crowding to America, established themselves as freeholders in almost every part of the United States from New Hampshire to Carolina." [3] He further says that the Scotch Presbyterians in Ireland were not only disfranchised by the English laws covering all Ireland, relative to persons not connected with the established church, but that after the peace of Paris in 1763 "weary of strife with their landlords" they came over in great numbers. He says they were mostly found south of New York from New Jersey to Georgia, and in Pennsylvania peopled many counties until in public life they balanced the influence of the Quakers. "They brought to America no submissive love for England; and their experience and their religion alike bade them meet oppression with prompt resistance." [4] Froude writes: "And so the emigration continued. The young, the courageous, the energetic, the earnest, those alone among her colonists who, if Ireland was ever to be a Protestant country, could be effective missionaries, were torn up by the roots, flung out, and bid find a home elsewhere; and they found a home to which England fifty years later had to regret that she had allowed

them to be driven. Singular complication! First a Protestant exodus to America, and then a Catholic from the same country. Each emigrant, and each class of emigrants, carrying away in his heart a sense of intolerable wrong, and a hungry craving for revenge." [1] Froude here refers first to the Scotch-Irish who came to America before the nineteenth century, and secondly to the real Irish — the Irish Catholics — who came by the million during the nineteenth century, but not to any extent during colonial times. Froude continues as to the Scotch-Irish: "Religious bigotry, commercial jealousy, and modern landlordism had combined to do their worst against the Ulster settlement. The emigration was not the whole of the mischief. Those who went carried their arts and their tools along with them, and at the rate at which the stream was flowing the colonies would soon have no need of British and Irish imports. In the two years which followed the Antrim evictions, thirty thousand Protestants left Ulster for a land where there was no legal robbery, and where those who sowed the seed could reap the harvest. They went with bitterness in their hearts, cursing and detesting the aristocratic system of which the ennobling qualities were lost, and only the worst retained. The south and west were caught by the same movement, and ships could not be found to carry the crowds who were eager to go. 'The emigration was not only depriving Ireland of its manufacturers, but of the sinews of its trade.' 'Rich yeomen with their old leases expired' refused to renew them in a country where they were to live at other men's mercy, and departed with their families and their capital. Protestant settlements which had lingered through the century now almost disappeared. Bandon, Tullamore, Athlone, Kilbeggan, and many other places, once almost exclusively English and Scotch, were abandoned to the priests and the Celts. Pitiable and absurd story, on the face of which was written madness." [2] Lecky writes that the Scotch-Irish who went to America "went with hearts burning with indignation, and in the

War of Independence they were almost to a man on the side of the insurgents. They supplied some of the best soldiers of Washington." [1] From Pennsylvania the Scotch-Irish spread, west and south, where conditions were easier and Quaker and German government not in evidence. Of the 2,600,000 people in the thirteen colonies in 1775 it is estimated that 385,000 were Scotch-Irish; they and the Germans making nearly one-fifth of the entire population. Johnson says, "A writer in the *Gentleman's Magazine* of 1774 gave figures to show that in the five years, 1769–1774, no less than 43,720 people sailed from the five . . . ports of Londonderry, Belfast, Newry, Larne, and Portrush to various settlements on the Atlantic seaboard." [2] Those points are in Ulster. Of the Scotch-Irish, Fiske writes, "Of all the migrations to America previous to the days of steamships, this was by far the largest in volume. One week of 1727 landed six shiploads in Philadelphia. In the two years 1773 and 1774 more than 30,000 came. In 1770 one-third of the population of Pennsylvania was Scotch-Irish. Altogether, between 1730 and 1770, I think it probable that at least half a million souls were transferred from Ulster to the American Colonies, making not less than one-sixth part of our population at the time of the Revolution." [3] Few went to New England, although 54 boats arrived in Boston with these immigrants from 1714 to 1720. They were not welcomed and most of them moved southward to Pennsylvania and beyond, although small settlements remained in Worcester, the Berkshires, in Londonderry, New Hampshire, and Cherry Valley, New York.

Western Pennsylvania was the chief recipient of the Scotch-Irish as a mass. And they helped themselves to land they could not pay for. They declared "it was against the laws of God and nature that so much land should lie idle while so many Christians wanted it to work on and raise their bread." [4] They took wild land belonging to Penn until in 1725 Penn's agent said there were "as many as one hundred thousand acres of land possessed

by persons who resolutely set down and improve it without any right to it." [1] Skinner says, "They were lusty men, shrewd and courageous, zealous to the death for an ideal and withal so practical to the moment in business that it soon came to be commonly reported of them that 'they kept the Sabbath and everything else they could lay their hands on.'" [2] The Scotch-Irish in western Pennsylvania spread rapidly southwest to Virginia and the Carolinas. In North Carolina they "had come, before the Revolutionary War, to be the strongest element in the population of the Colony." [3] Later they were almost the entire population of western Virginia, now West Virginia, and chiefly built up Kentucky and Tennessee.[4] They did not all go farther west, however. Even today in the Appalachian Mountains from Pennsylvania to Alabama and westward into Tennessee and Kentucky there are from 2,000,000 to 3,000,000 unlettered descendants of Scotch-Irish, Scotch, Anglo-Saxon, and German mountaineers, poor and much the same as one hundred and fifty years ago.[5] Professor Bogardus says of them, "In time of national war, the mountain people are ready to volunteer. Their emotions are quickly aroused. Their records as fighters are replete with deeds of bravery, from the battle of King's Mountain to the present time. In the Civil War they furnished 100,000 volunteers for the Union armies. Their patriotism is of the eighteenth century colonial type. They love liberty and freedom. They possess the characteristics of a fundamental social democracy. Social castes are almost unknown: 'I'm as good as you are,' is the prevailing standard. . . . They possess strong physiques, iron constitutions, unjaded nerves, and an indifference to luxury — all valuable social assets." [6] These people have been marooned in a sea that has swept past them. Their ancestors were chiefly the troops that won the battle of King's Mountain and later crushed the Creek Indians in Alabama, and fought the battle of New Orleans. They were "*par excellence* the Indian fighters." In the running fight with Burgoyne in the Revolu-

tionary War, "four out of every nine of Colonel Morgan's riflemen, the fiercest of all fighters in . . . Arnold's force at Saratoga, were frontiersmen of Scotch-Irish descent from the Pennsylvanian border." [1] In the Civil War of 1861 the Scotch-Irish were on both sides, but chiefly for the Union, and held Kentucky, West Virginia, and part of Tennessee. General Robert E. Lee said: "The valley of Virginia is peopled with Scotch-Irish — people who have come from Scotland by way of Ireland. They are a fine race. They have the courage and determination of the Scotch, with the dash and intrepidity of the Irish. They make fine soldiers." [2]

The pure Scotch were for the most part against the Revolution. Fiske writes that in South Carolina, during the Revolutionary War, "the small farmers of Scotch-Irish descent were, every man of them, burning with a fanatical hatred of England; while, on the other hand, the Scotchmen who had come over since Culloden were mostly Tories, and had by no means as yet cast off that half-savage type of Highland character which we find so vividly portrayed in the Waverley novels." [3] Turner writes, "Especially after the Rebellion of 1745, large numbers of Highlanders came to increase the Scotch blood in the nation. . . . Scotch Highlanders came to the Mohawk, where they followed Sir William Johnson and became Tory raiders in the Revolution." [4] But as to these pure Scotch, Patrick Henry was of pure Scotch descent and he led the way in Virginia to the Revolution, and Andrew Hamilton, the Scotch Philadelphia lawyer, was called to New York, to defend the liberty of the press. Professor MacDonald says, "To North Carolina the Scottish Celts came by the thousands in the hard days that followed the last Rising of the clansmen for the Stuarts, and their defeat, under Prince Charles Edward, on Culloden Moor, in 1746. Those Scottish Highlanders brought with them to America, and preserved for their children in the new world, the Gaelic language and the traditions of Celtic life, its blood-virtues and its romantic

loyalties, and they poured into the veins of America, into its religious, educational, and political thinking, something of the characteristic qualities of the Celts of history." [1] In the nineteenth century the pure Scotch went to Canada, especially Ontario, rather than the United States. There they found descendants of Tories who had been driven out of the United States after the Revolutionary War.

These Scotch-Irish are a vigorous, energetic race. They are not profound but have a tremendous will power. It would be a long list to name all of them who have been prominent in American history. Jackson was a Scotch-Irishman, born in North Carolina, and he certainly was fitted for the Indian War, New Orleans, and the Calhoun conspiracy to disrupt the Union. Jackson declared he would treat nullification as treason, rebellion, and war, and he was a man of his word. He sent two warships to the spot, made significant movements of the artillery and troops, and caused Congress to pass the "Force Bill." He plainly stated that he intended to hang Calhoun.[2] The army was concentrated at Charleston. Cass, Secretary of War, ordered Major General Scott to take charge and Cass wrote him: "In any event, the President will perform his duty, under the Constitution and laws of the United States." [3] In fact, the South itself was not willing to follow South Carolina at that time.[4] Strangely enough Calhoun himself was a Scotch-Irishman, but in his later years became a monomaniac on the necessity and propriety of slavery. Polk was Scotch-Irish and under him the United States acquired California, Nevada, Utah, Arizona, New Mexico, and part of Colorado. Buchanan was a Scotch-Irishman, but had few Scotch-Irish characteristics. Woodrow Wilson was of Scotch-Irish descent, but the time has not yet come to appraise dispassionately his character. Professor Van Dyke of Princeton says, "Of the men elected to the presidency of the United States there has been only one whose ancestors did not belong to America before the Revolution —

James Buchanan, whose father was a Scotch-Irish preacher who came to the new world in 1783. All but four of the Presidents of the United States could trace their line back to Americans of the seventeenth century."[1] If Buchanan had been the same kind of Scotch-Irishman as Jackson, he would have done as the latter did in 1833, when Jackson wrathfully prepared to meet force by force in the threatened rebellion of South Carolina, and so put an end to it. Buchanan did nothing, and so doubtful state after doubtful state prepared to rebel. Grant was half Scotch-Irish, half Scotch, and his pugnacity and pertinacity showed that he was both.[2] He did what Buchanan left undone. The Scotch-Irish made a deep impression in Southern Ohio, Indiana, and Illinois, and this sterling stock is still found there. They have the diplomatic suavity of Ireland and the self-reliance of Scotland.

Professor Heron of The Assembly's College, Belfast, Ireland, summarized the characteristics of the "Ulster Scots" as follows: "An economy and even parsimony of words, which does not always betoken a poverty of ideas; an insuperable dislike to wear his heart upon his sleeve, or make a display of the deeper and more tender feelings of his nature; a quiet and undemonstrative deportment which may have great firmness and determination behind it; a dour exterior which may cover a really genial disposition and kindly heart; much caution, wariness, and reserve, but a decision, energy of character, and tenacity of purpose, which, as in the case of Enoch Arden, 'hold his will and bear it through'; a very decided practical faculty which has an eye on the main chance, but which may co-exist with a deep-lying fund of sentiment; a capacity for hard work and close application to business, which, with thrift and patient persistence, is apt to bear fruit in considerable success; in short, a reserve of strength, self-reliance, courage, and endurance which, when an emergency demands (as behind the Walls of Derry), may surprise the world."[3]

There is no need of asking where men of Scotch-Irish blood will stand in the future of the American Constitution and American institutions. They will be ready to argue, act, and fight if necessary. Hail to them!

A republic has yet to prove itself durable and safe in a great country. As stated in chapter one the American Republic is the hope of mankind. As will be explained in chapter thirty-three vast masses of ignorant immigrants from southern and eastern Europe have recently precipitated themselves on these shores. They congregate in the great cities, vote in huge *blocs*, and are a menace to good government and republican institutions. In days to come the supremacy of the Nordic stock will be severely tried. The old elements of English, Scotch, Dutch, Germans, and Scandinavians may not avail. When those days come the out and out Americanism of the Scotch-Irish, running like quicksilver throughout the nation, will be militant, like Jackson from the frontier.

CHAPTER IX

THE DUTCH

A PHLEGMATIC race, but honest, persistent, decent, and thrifty, the successful rulers of some forty-seven millions in the East Indies having less than two hundred thousand Europeans, they have had a deep influence in America, and their sturdy worth is still felt in New York City, New York State, and on farther west. During their ownership of New York City (New Amsterdam) and the Hudson Valley from the time of Henry Hudson's discovery of the Hudson River in 1608 to the conquest by the English in 1664, the Dutch ruled and misruled through their West India Company, chartered by the states-general in 1621. Furs and not principles dominated. Defenses were neglected, and when New Amsterdam fell in 1664, it fell easily without a battle, notwithstanding old Peter Stuyvesant, the doughty Governor, who wanted to fight in spite of the sight of his one wooden leg. But the Dutch stock with its sterling qualities remained in New York and continued to buy furs and land and thriftily increase in wealth, population, and influence. It intermarried with the English. For instance, Clinton of English descent married a De Witt of Dutch stock. Their son, De Witt Clinton, dug the Erie Canal and was several times Governor of the State. Robert Livingston, the Scotch founder of the American family of that name, married the sister of Philip Schuyler, of the distinguished Dutch family. The *ultra* conservatism of New York as to divorce, land, and religion is largely traceable to the Dutch.

In the Revolution "On Long Island, the people of Kings and Queens counties, of Dutch descent, were Tories almost to a man." [1] Manhattan Island also was a hotbed of Toryism, although they were far from being all Dutch, and the Dutch were

far from being all Tories. General Schuyler, one of the military and civil heroes of the Revolution, was of Dutch stock, as mentioned above.

In the very beginning the Dutch West India Company originated the "patroon" system, feudal in its nature. Under this system individuals were granted land along the Hudson, each grant to be sixteen miles long on one side of the river or eight miles on both sides, and as far inland as was occupied, each to have at least fifty adult colonizers. They were called "patroons" and were practically barons, with special trade privileges, the right to make laws, hold leet courts, and send representatives to the legislature. Van Rensselaer, a "patroon," owned a tract of land twenty-five miles long and forty-eight broad, embracing practically all of the present counties of Albany and Rensselaer. At one time Rensselaerswyck embraced over seven hundred thousand acres. That family claimed patroon rights as late as 1840. For a long time the province of New York was handicapped by this monopoly of land.[1] The people wanted the title and not the mere tenancy of land.[2] Meantime the western part of New York province was monopolized by the "Six Nations" of Iroquois, until General Sullivan demolished them in the Revolutionary War. They had taken the English side.

Even after the English conquered New York from the Dutch the patroons dominated the social and largely the political life of New York City and province and state. Henry Cabot Lodge says, "From the mouth of the Hudson to Albany, and far up the Mohawk Valley, were scattered the settlements of the Dutch, who were the prevailing race among the farmers. . . . After the conquest the Dutch clung still closer to their land, refused to sell to the English, kept their large estates, and obliged the intruders to remain in the southern part of the province, and engage in trade rather than agriculture. This vigorous prejudice and strong spirit of exclusiveness gave to the country life of New

York along the Hudson and Mohawk an almost pure Dutch cast. . . . Their worst defect, as a people, was their grasping spirit in trade; to illustrate which it was said that not even a Jew could hope to get a living among them; and there is no doubt that travelers complained vehemently of their extortionate prices and love of money." [1] In 1752 a majority of the 100,000 population of the New York province were Dutch [2] and even at the time of the Revolution the Dutch were still a majority.[3] And today, notwithstanding the millions of newcomers, the old Dutch families retain their aristocracy, wealth, and social supremacy in New York City. Van Buren was of Dutch stock, but his velvety, flexible adroitness hardly ran true to Dutch form. Roosevelt, of Dutch descent, represented more truly their characteristics — decent, heady, quick tempered, obstinate, bossy, fair, aggressive, not profound nor of the broadest culture but intelligent and pugnacious to a high degree. Norlie says, "During the century 1820–1920, 339,639 Dutch were admitted to the United States. In 1920 the estimated number of people of Dutch descent in America was 2,233,503." [4] Stephenson says, "In 1900 Michigan had the largest Dutch-born [immigrant] population (30,406); Illinois ranked next (21,916); New Jersey, New York, Iowa, and Wisconsin, with numbers ranging from 10,000 to 6000, follow in order." [5] Orth writes, "The Hollanders have taken root chiefly in western Michigan, between the Kalamazoo and Grand rivers, on the deep black bottom lands suitable for celery and market gardening. The town of Holland there, with its college and churches, is the center of Dutch influence in the United States. Six of the eleven Dutch periodicals printed in America are issued from Michigan, and the majority of newcomers (over 80,000 have arrived since 1900) have made their way to that State." [6]

Preposterous claims are made that America derived from Holland free institutions, local government, public schools, Declaration of Independence, essential elements of our Constitution, and

recording of deeds. But it is to be borne in mind that though a modest individual the Dutchman has never hid his light under a bushel, from the time when Van Tromp in 1652 in his warship swept the English Channel with a broom at the masthead, down to the present day. English political institutions (the chief source of our Constitution) run far back of those of Holland. As to deeds they were recorded in England in the shire-book prior to the Norman conquest of 1066, after which date publicity gradually gave way to secrecy of transfer. In fact, deeds are said to have been recorded in Egypt before the Christian era. The declaration of independence in the United Netherlands was merely the substitution of the Duke of Anjou in ten provinces and William of Orange in the remaining two (Holland and Zeeland) in place of Philip II. Again, the so-called constitution of the Netherlands was but a treaty and in fact was called the "Treaty or Union of Utrecht" of 1579. Questions of war, peace, and taxes could not be decided by the Union but required the unanimous vote of the provinces. That Union has been said to have had the first written constitution, but it lacked the first elements of a constitution. Motley says, and there is no higher authority, "They intended to form neither an independent state nor an independent federal system. . . . The simple act of union was not regarded as the constitution of a commonwealth . . .; it was to be merely a confederacy of sovereignties, not a representative republic. Its foundation was a compact, not a constitution." [1] The free school system has already been discussed.* On the other hand, Professor Thorold Rogers of Oxford writes: "There is no nation in Europe which owes more to Holland than Great Britain does. The English, I regret to say, were for a long time, in the industrial history of modern civilization, the stupidest and most backward nation in Europe. There was, to be sure, a great age in England during the reign of Elizabeth, and that of the first Stuart King. But it was

* See pp. 42–44, *supra*.

brief indeed. In every other department, of art, of agriculture, of trade, we learnt our lesson from the Hollanders." [1] Taine wrote that in 1609, "In culture and instruction, as well as in the arts of organization and government, the Dutch are two centuries ahead of the rest of Europe." [2]

The Dutch are simple yet aristocratic and exclusive in their tastes. In their trade they are cosmopolitan. They are not scramblers for public office. They are not grafters in public or private life, but tenacious of their own. They are disputatious and loquacious and then calmly reflect on the merits. They have always been industrious and saving, a good check on the extravagance and flippancy of New York. Draper, an intellectual writer who was intimately associated with the New York Dutch, said: "In New York they stood, and, indeed, still stand in the attitude of a local aristocracy, in the noblest acceptation of that term; for these families of Dutch descent, and still retaining their Dutch names, have formed a nucleus round which whatever is socially respectable has spontaneously gathered. They have ever been upholders of religion, order, learning." [3]

America could ill spare this Dutch strain of blood. The doors of immigration should be opened wide for them. Fiske says, "In the cosmopolitanism which showed itself so early in New Amsterdam and has ever since been fully maintained, there was added to American national life the variety, the flexibility, the generous breadth of view, the spirit of compromise and conciliation needful to save the nation from rigid provincialism. Among the circumstances which prepared the way for a rich and varied American nation, the preliminary settlement of the geographical center by Dutchmen was certainly one of the most fortunate." [4]

The Dutch are a good people. They do not and with brilliant exceptions never have produced great statesmen, but they are steady and can be relied on to a man to support good government and American institutions. Hail to the Dutch!

CHAPTER X

THE FRENCH

JUST as the Irish in America have been clearly divisible into two distinct classes, namely, Protestant Scotch-Irish and Catholic Irish (each coming at different times as though a separate nationality), so the Catholic French came to America separately from the Protestant French. The latter were the Huguenots.

The Catholic French overran and owned Canada and by a chain of posts and forts controlled the Great Lakes, the Mississippi River, and at times Louisiana. At first in 1603 the French Government allowed the Huguenots to colonize Canada, but in 1633 no Protestant, French or otherwise, was allowed to reside there permanently. When England conquered all of this French territory except Louisiana in the war of 1763, the French Catholics in Eastern Canada were undisturbed. They remain there to this day. They have overflowed in large numbers in recent years into New England. Whelpley writes, "It is estimated that nearly 2,000,000 French Canadians have gone to the country to the south to make their homes, and the Canadian Government has discussed ways and means of keeping this element of the population from wandering away. These French Canadians are mostly lumbermen and farm labourers, and there has been a shortage of such labour in the United States, whereas in Eastern Canada opportunity has naturally been more limited."[1] President Falconer of the Toronto University writes: "There are now said to be, on good authority, not less than 1,750,000 people of French-Canadian origin in the United States, and according to the United States census 307,800 of them Canadian born. Nearly 75 per cent are to be found in

New England settled in solid blocks in the industrial towns such as Fall River, Lawrence, Lowell, New Bedford, Haverhill, Worcester, where they are employed especially in cotton and shoe factories. True to type, they have large families and they now constitute one-seventh of the population of New England; they have acquired great influence in some localities as they are naturally hard-working, thrifty, peaceful, and opposed to labour strikes. Though they are law-abiding citizens and all but a small percentage have become naturalized, the French-Canadians have been so far like an unassimilable deposit upon the soil of New England. They are the most conservative of all newcomers. Race, language, the mystical bonds of religion and tradition attach them to one another and to their kinsfolk on the banks of the St. Lawrence, where lies thier homeland spiritualized by the song, legend, and labours of their fathers, consecrated by their piety and tradition. Even in New England the French-Canadian desires to keep not only his church, but his school and if possible his language. Will he be able to wrest these concessions from the politicians?"[1] Along the Great Lakes and the Mississippi the French of Revolutionary times have been absorbed and their separate identity has practically disappeared. There were six or seven thousand of them scattered throughout the Mississippi Valley. In New Orleans they are still the aristocrats, the Creoles being French-speaking white natives of French or Spanish origin. They do not, however, cut much figure in American life. As to Louisiana, acquired by the United States in 1803, Basil Thompson says: "The Nova Scotia Acadian or 'Cajan' is worth a word. In the Teche country — southern Louisiana — he preponderates, speaking a peculiar dialect or patois quite at variance with that of the Creole. In the towns of St. Martinsville and New Iberia this emasculated lingo is almost the common tongue, certainly *la langue de famille.* It is estimated that some fifteen hundred Cajans of those expelled from Nova Scotia settled in Louisiana. They now number one

hundred and fifty thousand or thereabouts and for the most part adhere to their native speech. Of course, the Cajan and the Creole must not be mentioned in the same breath. The Creole is, in his kind, a cultured though somewhat decadent type; the Cajan in his, a crude, ingenuous one. An interesting fact in connection with the French-speaking people of Louisiana is the publication, at the present time, of several purely French papers scattered over the State, and in New Orleans of two weeklies: *L'Abeille*, the earliest existing journal printed in the Mississippi Valley, and *La Guêpe*. These titles are not without significance, but one cannot help but feel their sting has gone."[1] Charles Dudley Warner wrote: "The Acadians in 1755 made a good exchange, little as they thought so at the time, of bleak Nova Scotia for these sunny, genial, and fertile lands. They came into a land and a climate suited to their idiosyncracies, and which have enabled them to preserve their primitive traits. In a comparative isolation from the disturbing currents of modern life, they have preserved the habits and customs of the eighteenth century."[2]

The French along the eastern bank of the Mississippi River, north of Louisiana, became subjects of the United States, of course, upon the conclusion of the Revolutionary War. But, as Roosevelt says: "The French were utterly unsuited for liberty, as the Americans understood the term, and to most of them the destruction of British rule was a misfortune. The bold, self-reliant, and energetic spirits among them, who were able to become Americanized, and to adapt themselves to the new conditions, undoubtedly profited immensely by the change. As soon as they adopted American ways, they were received by Americans on terms of perfect and cordial equality, and they enjoyed a far higher kind of life than could possibly have been theirs formerly, and achieved a much greater measure of success. But most of the Creoles were helplessly unable to grapple with the new life. They had been accustomed to the paternal rule of

priest and military commandant, and they were quite unable to govern themselves, or to hold their own with the pushing, eager, and often unscrupulous newcomers. So little able were they to understand precisely what the new form of government was, that when they went down to receive Todd as commandant, it is said that some of them, joining in the cheering, from force of habit cried: '*Vive le roi.*'"[1] Professor Wrong of the Toronto University writes: "The French are a virile race. No other breed, except perhaps the Jew, clings to its own ideals and mode of life with such unconquerable tenacity. To the French, pride in the civilization of France and love for the land of France are mastering passions."[2] Prior to the Revolution French Catholics did not emigrate from France to the thirteen colonies, partly because their religion was hardly tolerated, partly because Catholic France and Protestant England were each grasping for the country.

The Huguenots, the French Protestants, have a very different history. They were a wonderful race of men. When the Edict of Nantes, granted by Henry of Navarre in 1598, giving protection to the Huguenots, was revoked by Louis XIV in 1685, the Huguenots had to flee from France or change their religion or be persecuted. In 1660 there were probably over 2,000,000 of these Huguenots, the best and thriftiest citizens of France; in fact, the choicest blood of France, although that phrase is generally and erroneously applied to the nobility of France. During the next fifty years it is estimated that from 500,000 to 1,000,000 escaped from the country. In the sixteenth century they were one-tenth of the French population; at the beginning of the nineteenth only a few hundred thousand remained. But France's loss was America's gain, so far as the fleeing Huguenots came to America. As Bancroft says: "Every wise government was eager to offer a refuge to the upright men who would carry to other countries the arts, the skill in manufactures, and the wealth of France. Emigrant Huguenots put a new aspect on the north

of Germany, where they constituted towns and sections of cities, introducing manufactures before unknown. A suburb of London was filled with French mechanics; the prince of Orange gained entire regiments of soldiers, as brave as those whom Cromwell led to victory; a colony of them reached even the Cape of Good Hope. In our American colonies they were welcome everywhere. The religious sympathies of New England were awakened. . . . Others repaired to New York; but the warmer climate was more inviting to the exiles of Languedoc, and South Carolina became the chief resort of the Huguenots. . . . In spite of every precaution of the police, five hundred thousand souls escaped from their country."[1] And Bancroft further says that "their industry and skill made them welcome in every Protestant country; and Louis, desiring to convert, not to expel his subjects, forbade emigration, under penalty of the galleys . . .; emigration was a felony, and the frontiers were carefully guarded to prevent it."[2]

How many French Huguenots came to America is not known and cannot now be ascertained. Jones estimates them at 15,000.[3] They came in small groups to the various colonies, and after a generation or two of exclusiveness intermarried and mingled with the other races. They scattered and melted like snow in the streams of English, Dutch, Scotch-Irish, and Germans. Hence they have no separate history and their influence while profound is elusive. In 1690 they were numerous enough in Boston and New York to have churches of their own. In New York in 1656 all government and town proclamations were issued in French as well as Dutch, and later the Huguenots were found not only in New York but on Staten Island, Long Island, Westchester County, and particularly New Rochelle. In 1698 Lord Bellomont, Governor of New York, wrote home, "I must acquaint your lordships that the French here are very factious and their numbers considerable."[4] Many of the Huguenots in Pennsylvania did not come from France direct, but from the Palatine

and Holland, where they had already amalgamated. In 1700 four fleets carried from Gravesend, England, over seven hundred French refugees to Virginia. In South Carolina the Huguenots were a larger proportion of the population than in the other colonies. Hirsch says that after 1700 they were from one-tenth to one-fifth of the population of that colony but that there are few statistics.[1] They were powerful in support of the Revolution. Hirsch writes: "In the Revolutionary war, their descendants, with but few exceptions, were loyal supporters of the cause of the Colonies and with unalloyed devotion fought and died in the ranks that sought the overthrow of British rule."[2] Henry Laurens, who was president of the Continental Congress for over a year, was a French Huguenot from South Carolina. Gabriel Manigault, another French Huguenot from that colony and one of the very wealthiest men in all of the colonies, "enlisted in the War of the Revolution at the age of seventy-five and made a loan of $220,000 to the government, of which only about $40,000 was ever recovered."[3] How far they were responsible for South Carolina being the hotbed of the Civil War of 1861 does not appear. The Huguenots in Carolina in 1699 offered "to remove to Louisiana, being desirous to regain their nationality, if they could be guaranteed the freedom of their religion. This offer was transmitted to the mother country, but the reply came back that Louis had not expelled the Huguenots from France in order to make a republic of them in America."[4] Secretary of Labor Davis says, "After the Napoleonic Wars, the first great wave of immigration reached America in 1815. In that year two thousand men and women came from Brittany. In the year 1819 the number increased to thirty-five thousand. This influx of French Huguenots we might call one of the results of the downfall of Napoleon Bonaparte. These people were a sturdy, upstanding, independent stock. The few thousands who migrated to America made a splendid contribution to the blood of our nation."[5] So also Rosengarten says, "Pierre Leroy Beau-

lieu, in his exhaustive account of the 'United States in the Twentieth Century' (Paris, 1905), gives the number of French emigrants who came to the United States from 1821 to 1903, as 414,197. This number, though small as compared to the accessions of other nationalities, must be increased by the earlier settlements, those in Louisiana and up the valley of the Mississippi, and in Virginia and Pennsylvania; by those in Pennsylvania and Ohio after the French Revolution, and by the later refugees after the fall of Napoleon — a large number in all." [1] Detroit as late as 1805 had few Americans. Even in 1817 a majority of its population were French. It was long the center of French influence in the Northwest.[2] The United States Census shows that in 1920 there were 1,290,110 French people in the United States who spoke French. They are largely French-Canadians.

Not by numbers alone is the influence of the French Huguenots in America to be measured. The character of these people gave them a leadership and influence far greater than their proportion of the entire population. They lost their identity in the communities where they settled, but their genius flamed up in extraordinary ways. Henry Cabot Lodge states that of the 14,243 names prior to 1789 found in Appleton's *Encyclopedia of American Biography* there were 589 Huguenots, they being fourth in numbers in the list.[3] And some of their names are eminent in the history of America — Paul Revere, General Marion, Stephen Girard, Alexander Hamilton (maternal side), John Jay, Peter Faneuil (Faneuil Hall), Stephen Decatur, Thomas Bayard, Matthew Vassar, and Thoreau. Lodge truly says: "I believe that, in proportion to their numbers, the Huguenots have produced . . . more men of ability than any other race in the United States. . . . Indeed, if we add the French and the French Huguenots together we find that the people of French blood exceed absolutely, in the ability produced, all the other races represented except the English and Scotch-Irish,

and show a percentage in proportion to their total original immigration much higher than that of any other race." [1] Doctor Storrs said, "It is sometimes forgotten that the Huguenots constituted the larger and wealthier part of the population of New Amsterdam, after the Dutch; so that La Montaigne had been in a measure associated with Kieft in the government here, as early as 1638; so that public documents before 1664, were ordered to be printed in the French language, as well as in the Dutch. . . . The French vivacity blended in them with a quick and careful sense of duty. They brought new arts, and graceful industries, a certain chivalric and cultivated tone. It is a familiar fact that of the seven Presidents of the Continental Congress, three were of this Huguenot lineage: Boudinot, Laurens, and John Jay. Of the four commissioners who signed the provisional treaty at Paris, which assured our independence, two were of the same number: Laurens and Jay. Faneuil, whose hall in Boston has been for more than a hundred years the rallying-place of patriotic enthusiasm, was the son of a Huguenot. Marion, the swamp-fox of Carolina, was another." [2]

We could ill spare this strain of French blood. It is a tonic greatly needed. Lewis and Clark in their journal of their memorable exploration overland to the Pacific Ocean in 1804–6 said that one of their Frenchmen to amuse the Indians "danced on his head." [3] This was a new mode of dancing and was a great success. It certainly showed great vivacity and originality on the part of the Frenchman — racial traits. The Frenchman is light, airy, cheerful, friendly, and chatty. His ideas are clear and his conversation crisp. His manners are refined and courteous and his grace natural. His art is the art of the modern world. Even a shop girl in France cannot tie a package with ribbon without doing so with an art that is the envy and despair of the Saxon. Anything intellectual, scientific, or artistic appeals to the French mind, and while very economical it is not unduly materialistic. Foreign as well as French achievements are recognized,

from Benjamin Franklin to Whitaker Wright, and deeds of daring, like Lindbergh's, appeal to their vivid imagination. They are and always have been a military race and march to battle with an intrepidity that has repeatedly swept over all Europe. If Germany in the recent war had annihilated them as intended, the loss to the world would have been irreparable. They have their faults, like other nations. Their code of business ethics is not the code of the Saxon. They revel in the spice of an intrigue, business or social, even if they do not partake of the spice themselves. If they can evade an uncomfortable contract, they consider it clever, while the Saxon considers it a reproach. The Frenchman considers this diplomacy, not dishonesty, and cannot understand why the American gets angry. After all Langdon Mitchell is right when he says, "the great, creative races of our earth are to be esteemed and held in honor for their difference, the one from the other; and as we comprehend this difference in any one gifted race, we shall appreciate its value, and be able to convey something of it into our own life." [1]

America cherishes, and should cherish, and always will cherish, the memory of Lafayette and the little band of French who voluntarily and contrary to the orders of the French government came to America and took part wholeheartedly in the American Revolution. The King and his government aimed to weaken England [2] but the toiling millions of France, ground down by want, misery, and oppression and with no voice in their government, instinctively idealized Franklin and the American patriots. Though inarticulate they were like a moaning sea, full of portentous power. Vergennes, a far-seeing statesman, voiced the general sentiment. And that sentiment was deep enough and strong enough to be heard in the Tuileries and forced the weakling King to assist the American struggle for freedom. Lafayette's greatest service — the turning point of the Revolution — was when he used his influence with the French Government to send a large army and fleet to America and place them under Wash-

ington.[1] That led to Yorktown. But since then the French record has not been so good. In 1782 Vergennes, the French Minister of State, in a treaty of peace tried to confine the Americans to the Allegheny mountain line.[2] In 1793 Citizen Genet, the French ambassador to America, tried to overrule President Washington and drag America into the French wars until Washington had him recalled.[3] Fay, a French writer, says that it had been decided in France "that Genet should be guillotined as soon as possible after his return" [4] but Genet was wary and so not caring to face Robespierre and others who had now come into power in France and had repudiated his foolish acts, he preferred to remain in America and marry Governor Clinton's daughter. In the same year when both the French and English governments violated international law and seized American cargoes and ships, both governments promised to pay. England did pay but France did not.[5] In 1798 French seizures of American ships and cargoes again became so bad that Congress authorized merchant ships to arm and resist and capture any ship attempting search and seizure,[6] and American cruisers were authorized to capture any French vessel found near the coast preying upon American commerce.[7] Four American squadrons put to sea and each captured French privateers. 365 American private vessels were armed. In February, 1799, the Constellation, Commodore Truxton's flag-ship, attacked and captured the French frigate L'Insurgente after a sea fight. Later a French national corvette, Berceau, was captured after two hours' action by a Boston sloop of war.[8] Washington was made commander-in-chief and accepted.[9] Then France drew back. She had counted on American factions but counted in vain. Talleyrand, who had been in America for some time, believed we would not fight but Talleyrand was mistaken and Napoleon had already made enemies enough. As to payment for the seizures, Adams says of Napoleon, "He followed an invariable rule to repudiate debts and claims wherever repudiation was possible. For such demands he

had one formula: 'Give them a very civil answer — that I will examine the claim, etc.; but of course one never pays that sort of thing.'" [1] In 1809–10 Napoleon seized $8,400,000 worth of American ships and cargoes.[2] He did not act until "more than a hundred American vessels and cargoes had been drawn within his clutches." [3] By treaty in 1831 France agreed to pay twenty-five million francs indemnity for all this, but she did not pay. Hence President Jackson asked Congress to authorize reprisals. France declared this an insult and declined to pay unless an apology was made. No apology was made, but in 1835 France paid.[4] Jackson is declared to have said, "I know them French," says he. "They won't pay unless they're made to." [5] In the Civil War of 1861 France sympathized with the South and wished England to join in recognizing its independence. During that war France invaded Mexico and put Maximilian on the throne in defiance of the Monroe Doctrine. During the war between Spain and the United States in 1898 France sympathized with Spain. Today France seeks to avoid payment of the debt it incurred to the United States after the armistice.

As against this long record France certainly rendered invaluable aid in our Revolutionary War and it is doubtful whether the Americans would have won at that time without them, and yet the unaided victories over Howe at Boston and over Burgoyne and the Hessians and Ferguson in the Revolution and later over Pakenham at New Orleans, showed the tremendous resiliency and resisting power of the American people. The ruling class in England (the aristocracy) was determined to rule America and tax it to reduce taxes on their land in England; the manufacturing class was determined that America must not manufacture but must buy from them; the commercial class was determined that American commerce must be only by and through them; the lower class had no say. It was national selfishness leading to tyranny. Nothing but the loss of America dislodged these ideas from the English mind. The colonies were

too powerful to submit to any such system. Even if the Revolution had failed, another and successful revolt would probably have come during the Napoleonic wars when England was crippled but stubbornly would have continued the restrictive colonial policy which lasted until 1840 when Canada was about to revolt. Chatham in the House of Lords in 1775 said: "What though you march from town to town, and from province to province; though you should be able to enforce a temporary and local submission, which I only suppose, not admit — how shall you be able to secure the obedience of the country you leave behind you in your progress, to grasp the dominion of eighteen hundred miles of continent, populous in numbers, possessing valour, liberty, and resistance?" [1]

Another act of France remembered by America is the sale of the Louisiana territory to America by Napoleon on May 2, 1803, for $15,000,000. That included the present states of Louisiana, Arkansas, Missouri, Oklahoma, Iowa, Nebraska, South Dakota, North Dakota, and parts of five other states. Adams says of it: "The annexation of Louisiana was an event so portentous as to defy measurement; it gave a new face to politics, and ranked in historical importance next to the Declaration of Independence." [2] It included New Orleans and almost the entire west bank of the Mississippi River. Napoleon knew what he was doing. He had had dreams of a new colonial empire along the Mississippi,[3] but when his army in Santo Domingo dwindled away from yellow fever,[4] and the peace with England of 1801 was about to end with a renewal of the war in May, 1803, and Napoleon knew that England could and would seize Louisiana as French territory,[5] and knew also that he needed money, he sold that magnificent domain for a pittance. He then expended fruitlessly the French part ($11,250,000) of the price in preparing to invade England.[6] Napoleon said: "I know the full value of Louisiana and I have been desirous of repairing the fault of the French negotiators who abandoned it in 1763. But, if it escapes

from me, it shall one day cost dearer to those who oblige me to strip myself of it than to those to whom I wish to deliver it. The English have successively taken from France Canada, Cape Breton, Newfoundland, Nova Scotia, and the richest portions of Asia. They shall not have the Mississippi, which they covet. . . . I already consider the colony as entirely lost; and it appears to me that, in the hands of this growing power, it will be more useful to the policy and even to the commerce of France than if I should attempt to keep it." "This accession of territory" he also said, "strengthens forever the power of the United States. I have given to England a maritime rival that will sooner or later humble her pride." [1] Napoleon disliked republics, but he hated England more. His first proposition to the American diplomats was that the territory "shall become part of the American Union, and shall form successively one or more States on the terms of the Federal Constitution." This was modified so as to read that the inhabitants should be given the rights of American citizens,[2] but the purpose of Napoleon that America should keep the territory and build up a powerful nation has been fulfilled. That nation exists today. In the World War, when France and England were being beaten down,[3] America threw its sword into the scale with a resounding clash and imperial Germany ceased to exist. Four million Americans were in arms. France did much for America; America has done much for France. France today thinks America grew rich from the World War, but that is a mistake. The Census Bureau shows that in 1912 our total national wealth was $189,715,000,000, in 1913 dollars, and in 1922 was only $194,309,000,000, in 1913 dollars, though the nominal value was $320,804,000,000, in inflated dollars.[4]

The French are saving and even parsimonious, but have a positive genius for inducing other people to spend. They despise us as half or three-quarters barbarians in our manners, customs, ambitions, pursuits in life, tastes, and results. To a

certain extent they are right, but we saved their nationality and are beginning to look upon them as irresponsible children.

All this is one reason why we look upon the Huguenots in America as American rather than French, and, in fact, are surprised to learn that they are French at all. But when we consider what a remarkable leaven they have been to the lump and what brilliant and unexpected things they have done in America, our only regret is that there had not been more of them.

CHAPTER XI

THE SCANDINAVIAN

SCANDINAVIANS came to America between 1820 and 1923 to the number of 2,219,522. They include the Swedes, Norwegians, and Danes. They went chiefly to the middle West. There were in 1920 nearly three millions of them in the United States, whose mother tongue is Scandinavian. Of these about a million and a half were Swedes; about a million Norwegians and about a half million Danes. Orth writes, "The Swede is the aristocrat, the Norwegian the democrat, the Dane the conservative. The Swede, polite, vivacious, fond of music and literature, is 'the Frenchman of the North,' the Norwegian is a serious viking in modern dress; the Dane remains a landsman, devoted to his fields, and he is more amenable than his northern kinsmen to the cultural influence of the South. . . . It is the consensus of opinion among competent observers that these northern peoples have been the most useful of the recent great additions to the American race. They were particularly fitted by nature for the conquest of the great area which they have brought under subjugation, not merely because of their indomitable industry, perseverance, honesty, and aptitude for agriculture, but because they share with the Englishman and the Scotchman the instinct for self-government." [1] These Scandinavians are not noted for high intellectual achievements or leadership and yet they are among the most valued citizens of the United States. They understand and appreciate American institutions; they steadily support good government and are not stampeded by theorists nor misled by emotion. When they are placed in public office, they guard public interests conscientiously and fearlessly. They are

found chiefly in the Northwest, in Minnesota and the Dakotas. They prefer farming and the simple life and are industrious, saving, and honest. They have a high aptitude for self-government, and while open to experiments in governmental activities are intelligent enough not to go too far and to draw back when they find that they have made a mistake. Professor Ross says: "Scandinavian immigration flowed strong for the half-century after the close of the Civil War and brought in altogether two million souls. A quarter of all the Scandinavian blood in the world is over here. The Scandinavian immigrants have been attracted most by the climate and nature of the Northwest, stretching from Lake Michigan to Puget Sound. They are found on farms and in the outdoor occupations characteristic of the old country. They assimilate readily, for no immigrants respond more heartily than they to the American gospel of personal independence, good morals, and democracy. They furnish few leaders but many excellent citizens."[1] Professor Becker of Cornell says that "the Swedes, although they have in considerable numbers become farmers in the Northwest, have more often taken entire possession of certain districts, as in Minnesota, where they are not assimilated by the native population, but form alien communities preserving their language and customs."[2] Professor Coolidge of Harvard writes, "The Scandinavians, in spite of the fact that they cling to their own language with tenacity and often live rather secluded lives, are viewed with general favor; for they have the reputation of being steady and industrious, and, unlike most of the other immigrants today, they go chiefly to the country rather than to the towns."[3] They certainly are clannish, but consider themselves Americans over and above their racial origin. Mattson, born in Sweden, a colonel in our Civil War, later Secretary of State in Minnesota, said of the Scandinavians, "Though proud of their Scandinavian ancestry, they love America and American institutions as deeply and truly as do the descendants of the Pilgrims, the starry emblem of liberty

meaning as much to them as to any other citizen." [1] Bostwick says, "The Scandinavian farmer is one of the very best assets of the West, and his steadying influence is felt all along the line where he has been present to exert it, from law-making down to the cultivation of the soil. . . . He has a peculiarly pleasing, ingratiating manner, from which all trace of trying to curry favor is absent, and which combines the simple-heartedness of a child with hard headed common-sense and ability to succeed in practical matters." [2] Leach says: "No less than twenty-one men of Scandinavian extraction sat in a recent United States Congress, six in the Senate and fifteen in the House. Seven governors of Minnesota have been of Scandinavian parentage." [3] This probably includes those of mixed lineage.

The Scandinavians a thousand years ago were called Norse or Northmen, or Normans, the last word being applied later to those in Normandy, France. These Northmen included the Angles and old Saxons. In fact, Denmark was the original home of the Anglo-Saxon. These Angles and old Saxons coalesced in very early times. Denmark, though much smaller in territory than Norway or Sweden, was more fertile in soil and had more people. As to Sweden it is to be remembered that it was Gustavus Adolphus of Sweden who defeated Tilly in 1631 and saved the cause of the Reformation.

These Scandinavians had a great history abroad. They must have been prodigiously prolific and of astonishing vitality and belligerency. For centuries the world was their oyster to ope with their sword. So wide were their invasions and conquests some historians call it the "Viking Age." They invaded England in the fifth century as Anglo-Saxons [4] and again in the eighth and ninth centuries as Danes, and there they are today and in America. From 789 to 912 A.D. the Vikings from Denmark (and probably Norway) harried the coasts of all Europe and invaded the interior. They overran parts of England, Ireland, west

Scotland, and continental Europe.[1] In 912 they conquered and settled in Normandy and from thence England in 1066, and Sicily a few years later. Their madness in battle gave origin to the phrase "berserker" rage, meaning reckless, headlong courage. They left their mark in story and song and racial traits, especially in England. Bigland says "To their war songs the Scandinavian hero was indebted for his fame; and to acquire this poetical immortality, together with the felicity expected in the halls of Odin, he exposed his life with an enthusiasm and intrepidity unknown to modern times."[2] Emerson says, "These Norsemen are excellent persons in the main, with good sense, steadiness, wise speech, and prompt action. But they have a singular turn for homicide; their chief end of man is to murder or to be murdered; oars, scythes, harpoons, crowbars, peat-knives, and hay-forks are tools valued by them all the more for their charming aptitude for assassinations. A pair of kings, after dinner, will divert themselves by thrusting each his sword through the other's body, as did Yngve and Alf. Another pair ride out on a morning for a frolic, and finding no weapon near, will take the bits out of their horses' mouths, and crush each other's heads with them, as did Alric and Eric. The sight of a tent-cord or a cloak-string puts them on hanging somebody, a wife or a husband, or, best of all, a king. If a farmer has so much as a hay-fork, he sticks it into a King Dag. King Ingiald finds it vastly amusing to burn up half a dozen kings in a hall, after getting them drunk. Never was poor gentleman so surfeited in life, so furious to be rid of it, as the Northman. If he cannot pick any other quarrel, he will get himself comfortably gored by a bull's horns, like Egil, or slain by a land-slide, like agricultural King Onund. Odin died in his bed in Sweden; but it was a proverb of ill condition to die the death of old age. King Hake of Sweden cuts and slashes in battle, as long as he can stand, then orders his war-ship, loaded with his dead men and their weapons, to be taken out to sea, the tiller shipped and the sails spread; being left alone he sets fire to

some tar-wood and lies down content on deck. The wind blew off the land, the ship flew, burning in clear flame, out between the islets into the ocean, and there was the right end of King Hake." [1]

We no longer need Danish Vikings but we do need Danish, Swedish, and Norwegian intelligence, reliability and reasonableness. Huntington says, "We think of the vikings as pirates, and so they were. But they were also diligent colonists who tilled the ground wherever it would yield even the scantiest living. In Iceland and Greenland they must have labored mightily to carry on the farms of which the Sagas tell us." [2]

Nor is the old Norse daring extinct. It was Lindbergh, an intrepid American of Scandinavian descent, who flew alone in an aëroplane from New York to Paris, 3700 miles in $33\frac{1}{2}$ hours, in May, 1927, and thrilled the nations of the earth. His parents were graduates of the University of Michigan — an answer to the charge that educated people lack virility. Such a son sets the world aflame from pole to pole. Civilization honors physical manhood, courage, endurance, nerve, and skill, the same as the ancient Greeks deified Hercules and gave a wild olive garland to the victor at the Olympian Games. *Mens sana in corpore sano* — a sound mind in a sound body. Emerson said in 1859, "We have had examples of men who, for showing effective courage on a single occasion, have become a favorite spectacle to nations, and must be brought in chariots to every mass meeting." [3] The American Bankers Association Journal in its issue for July, 1927, paused for a moment from *haute finance* and in its editorial column said of Lindbergh, "Great gifts to the world ofttimes hang by slender strands of chance. The opportune deed of successful daring, the sudden illumination of authentic character, the uncertain hand of fate that grants life instead of death for defiant courage, the resolute heart and hand alert to seize fleeting opportunity and drive on to unimagined achievement — any one of these may lift an hitherto unrealized personality above the

commonplace and give the world a needed hour of inspiration. . . . A man might have failed. A man might have died. He would have lost all. But America would have lost far more than he — for it would have lost the hour that touched the soul of its youth with a flame from the stars." On the anniversary of Lindbergh's feat the French Commandant who held back the vast living tide that kept flowing over the landing field in the evening when he landed, wrote "The hurricane which was let loose when the young lion shook his mane over Europe has passed into history. Barriers disappeared, police cordons, strong as they were, snapped like thread. Scenes almost incomprehensible passed before our eyes. Women lifted their children to the skies, and women fell upon their knees. It was just a wave of delirium. . . . That night we understood of what stuff a nation's glory is made of. The America pictured by novelists with its factories, monster cities, banks, subsoil coal, buildings of steel, was all fiction. The reality was the man who discovered within himself the strength, courage, and skill to mock earthly slavishness and conquer the immensities of space and time. The man that finds all that in order to reach at one bound an ancient and sacred land sets a crown of living glory upon his country and writes history in everlasting reality. By keeping Lindbergh, her national hero, close to her heart, America gives to Caesar that which is Caesar's." [1]

The Scandinavians can be relied upon in the coming struggle to preserve American institutions. As Orth says: "This son of the North has greatly buttressed every worthy American institution with the stern traditional virtues of the tiller of the soil. Strength he gives, if not grace, and that at a time when all social institutions are being shaken to their foundations." [2]

CHAPTER XII

THE IRISH

A SINGULARLY affectionate race, when treated with kindness and firmness, yet quick to take offense and quarrelsome, they wait for no oncomer. They are their own worst enemies. Born to toil, their bones are found along the pathway of every railroad and trench. Improvident, they rarely achieve wealth. Leslie says: "The Celts struck the ancients as the only folks who would lend money on a note due in the next world."[1] They formerly were in the ditch; now in the city hall. Their ingratiating manner, facile nature, quick perceptions, and genius for local politics with its jobs, patronage, spoils, and all kinds of combinations, have largely turned our city governments over to them. Their leaders have the same control over them in politics that the priests have over them in religion and the conduct of life. The political results are not good, although this leadership does control the ignorant vote and thus ameliorates the mistake of the universal franchise in purely local affairs. The Irish nature is not timid physically, but mentally and supernaturally is easily overawed. Rarely do the Irish rise to the highest positions such as United States Senators; to the Presidency and Supreme Court (with one exception) not at all. Sometimes they produce great merchants and manufacturers but not often. They do not have great concentration of mind and are generally incapable of sustained and continuous mental effort. Their minds are as a flash but not deep, impressionable but not creative, fitfully energetic but naturally indolent. In science, literature, art, inventions, and the higher walks of industry they cut little figure. Like the Jews, the race and its nature are inextinguishable, irre-

pressible, and unchanging. The vigor and undying pugnacity of the race, however, have rendered its strain of blood one of the most valuable in the world when profusely diluted.

The soft voice of the Celtic wooer with his melodious tongue and insinuating manner has led to the mingling of the race with all classes of Americans, to the benefit of the latter. It gives force, dash, and combativeness, needed much in solving the problems of America. The Irish are always ready for war and are never backward in the fight.

Their women are chaste and prolific; their men strong and hardy. They have an undying hatred of England. The potato famine in Ireland in 1848 brought hundreds of thousands to America. During the eighty years from 1840 to 1920, 4,111,467 Irish came to America. Few went back. They are gradually being absorbed but not easily.[1] They are found mostly in the cities and do not take readily to agriculture. It is doubtful whether they will contribute much to the problem of self-government. John Flynn of Trinity College, Dublin, says: "The Celt is not usually a successful ruler. His temperament is against him. He is of that race 'which shakes all nations and founds none.' He has charm and ability; but he is passionate, explosive, volatile. He has a long memory for injuries and a short one for benefits. Cromwell is remembered while Swift is forgotten."[2] Demolins, a brilliant French writer, says: "Owing to their original mode of life, more pastoral than agricultural, the Celts have no liking for the absorbing pursuits of agriculture; they have more inclination for the liberal professions than for the commoner callings, and achieve more success in the former. Owing to their traditional clan organization, they show more taste for public than for private life, for political than for agricultural, industrial, or commercial struggles. In the Anglo-Saxon world, the Celtic populations mostly fill the ranks of the lower proletariat, or higher in the social scale — the liberal and political professions."[3]

Lecky describes the Irish of the eighteenth century well when he says: "A strangely chequered character was forming, tainted with some serious vices, very deficient in industry and energy, in self-reliance, self-respect, and self-control, but capable of rising, under good leadership, to a lofty height of excellence, and with its full share both of the qualities that attract and fascinate the stranger, and of the qualities that brighten and soften the daily intercourse of life. It was at once eminently passionate and eminently tenacious in its gratitude and its revenge." [1] Leslie says the Celtic character is summarized by what John Mitchel said of O'Connell: "With a voice like thunder and earthquake, yet musical and soft at will as the song of birds; with a genius and fancy, tempestuous, playful, cloudy, fiery, mournful, merry, lofty, and mean by turns as the mood was on him — a humour broad, bacchant, riant, genial, and jovial — with profound and spontaneous natural feeling, and superhuman and subterhuman passions, yet withal a boundless fund of masterly affection and consummate histrionism — hating and loving heartily, outrageous in his merriment and passionate in his lamentation, he had the power to make other men hate or love, laugh or weep at his good pleasure." [2]

Froude, on the other hand, says of the Irish, "Light-hearted, humorous, imaginative, susceptible through the entire range of feeling, from the profoundest pathos to the most playful jest, if they possess some real virtues they possess the counterfeits of a hundred more. Passionate in everything — passionate in their patriotism, passionate in their religion, passionately courageous, passionately loyal and affectionate — they are without the manliness which will give strength and solidity to the sentimental part of their dispositions; while the surface and show is so seductive and so winning that only experience of its instability can resist the charm. . . . Amidst their weaknesses, their confident boastings, and imperfect performances, the Irish have shown themselves at all times, and in all places, capable of the most loyal

devotion to any one who will lead and command them. They have not been specially attached to chiefs of their own race. Wherever and in whomsoever they have found courage and capacity, they have been ready with heart and hand to give their services; and whether at home in sacrificing their lives for their chiefs, or as soldiers in the French or English armies, or as we now know them in the form of the modern police, there is no duty, however dangerous and difficult, from which they have been found to flinch, no temptation, however cruel, which tempts them into unfaithfulness. Loyalty of this kind, though called contemptuously a virtue of barbarism, is a virtue which, if civilization attempts to dispense with it, may cause in its absence the ruin of civilization." [1]

There were few Irish in America in 1776, aside from the Scotch-Irish from the North of Ireland, and they were not Irish. The real Irish were then and still are almost exclusively Catholic, and all thirteen of the American Colonies, including Maryland after 1704,[2] were intolerant of the Catholic religion. The Catholics were regarded with suspicion and suffered from legal disabilities of one kind or another. The Irish claim that they came to America in large numbers during colonial times and that they formed a large part of the American Revolutionary Army. This is incorrect. Their number was negligible and their influence slight. There has been much heated discussion on this subject, the real trouble being that the Irish writers vociferously claim that the Irish include all Scotch-Irish and hence they appropriate all that the Scotch-Irish have done. The fact is there were very few real Irish in the colonies prior to 1770. A comparatively few came as "indentured servants," but only a few. How many cannot be ascertained, there being no record. Arthur Young (than whom there is no better authority) wrote in 1776: "The spirit of emigration in Ireland appears to be confined to two circumstances: the Presbyterian religion and the linen manufacture. I heard of very few emigrants except among manu-

facturers of that persuasion. The Catholicks never went; they seemed not only tied to the country but almost to the parish in which their masters lived."[1] Henry J. Ford says: "There was very little emigration from Ireland, outside of Ulster, until after the War of 1812."[2] In 1811 Timothy Dwight wrote that in New York City out of fifty-five churches only one was Roman Catholic, another being under construction.[3] Henry Cabot Lodge says: "I classified the Irish and the Scotch-Irish as two distinct race-stocks, and I believe the distinction to be a sound one historically and scientifically. . . . The Scotch-Irish from the North of Ireland, Protestant in religion and chiefly Scotch and English in blood and name, came to this country in large numbers in the eighteenth century, while the people of pure Irish stock came scarcely at all during the colonial period, and did not emigrate here largely until the present century was well advanced."[4] In fact there is no record of Irish Catholics leaving Ireland nor of their arriving in the colonies to any extent during colonial times, while there are quite complete records as to other nationalities. Mr. O'Brien, the latest Irish writer on the subject, estimates that from 1767 to 1774 some 63,360 Irish emigrants came in from southern Ireland.[5] Even so, they came late and 63,360 men, women, and children cut little figure with 2,600,000 colonists on the eve of Revolution. Trevelyan, the historian, wrote: "Irish Catholics, whether in or out of Ireland, had no love for the American Revolution; and those of them who had emigrated to America showed little inclination to enlist in the Republican army. 'It is probable' (we are told on high authority), 'that there were not three hundred real Celts in the whole Continental Line. The rest of the so-called "Irish" were emigrants, or the children of emigrants, from Ulster, and were of Scotch descent.'"[6] Moreover, Catholic authority itself, speaking of the year 1774, says: "A rough estimate places the entire population at three million, and an equally rough estimate claims a Catholic population of about twenty-two thousand."[7] Cardinal

Gibbons wrote that even later, namely, in 1790, "there were then about 24,500 Catholics in the land, of which number 15,800 were in Maryland, and 7000 in Pennsylvania, 200 in Virginia and 1500 in New York." [1] Nor were all of these Irish Catholics. Many, especially in Maryland, were English Catholics. On the other hand there were of course some Protestants from Celtic Ireland, but not many.

And there was good reason for all this. The Irish were almost exclusively Catholics, and as stated above all thirteen of the American colonies were intolerant of the Catholic religion. Even in Maryland the Catholics were less than one-twelfth of the population and severe laws against them were finally passed. Channing, in his "History of the United States," says that Charles Carroll, father of the first Roman Catholic Bishop in the United States and uncle of Charles Carroll, one of the signers of the Declaration of Independence, applied to the King of France for land in Louisiana, to which he wished to remove the Roman Catholics from Maryland, but the French Government refused on account of the English nationality of the Maryland Catholics.[2] Moreover, America was the favorite home of principles which Catholics held in abhorrence, and the Irish Catholic would have none of them. Fisher says, "Catholics were to be allowed to inhabit the country without deprivation of life or property; but they were not to be allowed any share in the government, or to have any influence in it which might be the entering wedge for attaining complete control; and they must keep their religion to themselves, not parade it in public or in any way attempt to proselyte or add to their members." [3] Hence the real Irish did not come to America, although thousands of them emigrated from Ireland to the Continent of Europe and were found in the European armies. The Irish (always excepting the Scotch-Irish) were not even in sympathy with the American Revolution. The Irish Parliament by a vote of 103 to 58 passed resolutions sustaining the British cause. It is true, as claimed by the Irish historians,

that the Irish Parliament was controlled by the English government, and it is true also that the Irish people were at that time opposed to the English government and were in sympathy with any movement anywhere in opposition to the English government, but this does not prove that the Irish were in America to any extent in 1776, or that they formed any substantial part of the American Revolutionary army, or that they had any real sympathy with colonies which practically discredited the Catholic religion — their religion. Lecky states that "the Irish Catholics do not appear to have shown any of that sympathy with the Americans which was evident among the Presbyterians";[1] in other words, the Scotch-Irish. Lecky also says, "Among the Irish Catholics there appears to have been absolutely no sympathy with the American cause."[2] In 1768 in order to subject Boston to military rule "two Irish regiments, newly arrived from Cork, were landed in November."[3] Irish regiments served in the British army against the American Revolutionary army. Roosevelt says: "It is a curious fact that in the Revolutionary War the Germans and Catholic Irish should have furnished the bulk of the auxiliaries to the regular English soldiers. . . . The fiercest and most ardent Americans of all, however, were the Presbyterian Irish settlers and their descendants."[4] In short, the historical evidence is overwhelming that it was not until America separated the state from the church and tolerated all religions, socially and politically, that the real Irish — the Irish Catholics — began that vast immigration to America in the nineteenth century that continues to this day, so far as the law allows. Henry Cabot Lodge, in speaking of immigrants to the Colonies, said: "A large part of these settlers were Scotch-Irish Presbyterians, valuable and good colonists; but there were also many others of Irish race, who were, as a rule, a very undesirable addition at that period. Scarcely more than a third of the latter succeeded as farmers; and they were a hard-drinking, idle, quarrelsome, and disorderly class, always at odds with the gov-

ernment, and did much to give to that government and to politics the character for weakness and turbulence, which, beginning before the Revolution, has broken out at intervals down to the present day."[1] Siegfried, a brilliant recent French writer, says, "The Irish Catholic, who speaks English and whose mode of living is perfectly normal, does not assimilate in the true sense of the word; for after two or even three generations we find him and his priest as distinctive as ever. Although one would never think of referring to either the English or Scotch as foreigners, the Irish, on the other hand, have remained apart in the large American cities, forming their own communities, with their own tendencies and individuality and even an Irish patriotism. In the same way, largely because they are Catholics, the French-Canadians group themselves around their priest and live isolated in the cotton-manufacturing towns of New England. In every case the resistance to assimilation comes from the Church, which scarcely conceals its hostility to the efforts of the Puritans to change the mode of living of the country by means of the law."[2]

The Irishman is an uncertain quantity as to the future institutions of America. To be sure, he is always hostile to tyranny and in fact to restraint in any way, and he is naturally sociable and amiable if approached in the right way, but he is highly emotional and his loyalty is often misplaced. His nature is to boss or be bossed and generally he has not the qualities of a great leader. If enlisted in a cause, it is his cause and he will die for it, but abstract great principles are beyond his ken. The "man on horseback," the product of factions, is more apt to captivate him than the far-seeing statesman. He hardly adds to the safety of the republic. About five-sixths of the Irish are in the cities and that adds to the uncertainty. There is much truth in what Robinson says, "It should not be necessary to say (except that Irish-American susceptibilities are sometimes extraordinarily sensitive) that I share to the full that admiration which all people feel for the best traits in the Irish character; but, in spite of indi-

vidual exceptions, I urge that it is not in the nature of the race to become good and helpful citizens according to Anglo-Saxon ideals, and that, as far as those qualities are concerned which have made the greatness of the United States, the contribution from the Irish element has been inconsiderable. The deftness of the Irishman in political organization and his lack of desire for individual independence, as a result of which he turns either to the organizing of a governing machine or to some form of personal service (in either case merging his own individuality) is as much foreign to the American spirit as is the docility of the less intelligent class of Germans under their political leaders — a docility which, until very recently, has caused the German voters in America to be used in masses almost without protest." [1] Professor Ross, on the other hand, says "the rocketlike rise of the children and grandchildren of Hibernian immigrants proves how much ability was smothered in the humble classes of the Old World from sheer lack of opportunity. They shine at the bar, in teaching, in journalism, on the stage, in public life, and in all manner of executive positions. Their great gift is the knack of handling men. Thanks to this and to their clannishness, the Irish captured control of the great Northern cities a generation ago and, despite their own fine personal qualities, soon gave these cities the reputation of being the worst-governed ones in the civilized world. There are, however, no better fighters for higher civic ideals than some of the third-generation Irish." [2] Leslie says: "The only race which has a similar history to the Irish Celts is the Jewish. The Irish are neither as ancient nor as modern, in another sense, as the Jews. Irish and Jew have been denied their own land, and have become international in consequence. Each has become a world force in the very endeavour to escape from the world. Isolation and persecution are largely responsible for their characters. The Celt has never persecuted the Jew. The true Teuton, from Shakespeare to Goethe, is anti-Semite. The Jews, unlike the Irish, have never

absorbed fresh blood, but they are alike in a religious vocation. The Irish have as great a reputation for fighting as the Jews have for finance, but their true genius is also for religion. Neither has ever felt quite at home in Europe, where the Teuton has persecuted both. Both have been scattered as wanderers through the world, and both exert a greater power for their numbers than if there were a King of the Jews in Jerusalem, or a President of Ireland in Dublin."[1] Siegfried says, "In this polyglot party [Democratic] where every race has its place, one nation above all has undertaken to guide the rest in politics. It is impossible to understand the Democrats, in the East at any rate, unless we penetrate the psychology of the Irish. Brilliantly gifted, nimble of wit, seductive, eloquent, and imaginative, they are born leaders of men. Toward the middle of the last century, the boss or gang leader in the great engineering enterprises was invariably an Irishman; for like the Corsicans, they excel in making others work for them, and they adore being in command. It was but a step from this to politics. What they had done in the factory they now repeated in the elections, but this time they worked for their own benefit. They aroused the discontented, organized them, led them out to vote, and by them and through them they obtained control of municipal affairs, which they made their own. Political intrigues and agitations, stirring public meetings, electoral campaigns, seething masses of party agents, canvassers, and intermediaries, hours spent hanging around the City Hall or lost in a cloud of stale tobacco smoke in the lobby of a political hotel or leaning against the rail of a corner saloon drinking his glass of beer or whisky — such was the atmosphere in which our 'artist' throve, a bit of a scamp maybe, and not greatly respected, and yet so irresistibly lovable! It is impossible to describe the extent of his influence in the cities of the East. I did not visit Dublin until after I had been to the States, but when I did I felt as if I had seen it all before. . . . When the Irish Catholic captures a municipal government or a State legislature, which is

all he ever succeeds in doing, he is satisfied as soon as he has rewarded his friends and supporters. He runs public affairs with a certain amount of skill and merit, but he stops there. In the end he does not overturn anything. 'Big business' easily manages to have the last word in any matter which it considers essential; so in practice this demagogue acts as a vaccine against revolution. Once outside the big cities, the cosmopolitan industrial centres, and a few large western towns, the Irish politician is out of his depth. Although only a few miles away, the farming communities and the small English and Scottish settlements escape his influence entirely. In the same way he has no hold over high finance and 'big business,' where the old-time Protestant aristocracy preserves its power intact. He controls the great city populations, however, except for a few foreign elements that are attracted away by other affinities, and even the successful Irish themselves who often desert the 'old gang.' The French Canadians generally keep to themselves, owing to their jealousy of the Irish, and this is also true in part of the Germans and Italians. The Scandinavians are Republican by temperament, and the Jews will adhere to any party that is likely to win. The negroes are traditionally hostile to the Democrats, and with reason. Still, the Civil War is now fading into the past, and they are learning to vote like opportunists for the side that offers them tangible advantages. With these exceptions, the masses of New York and Boston go Democrat, and so long as there are no internal quarrels, success is assured. Quarrels unhappily are common, for the Irish are born scrappers. As a rule there are as many factions as there are leaders differing in temperament and social level. The 'machine' relies on the lowest grade, for the better classes like to have their own special candidates. It is only through these quarrels that the Republicans ever succeed, as they did, for instance, in the Boston municipal elections in November, 1925."[1]

Republican institutions hardly fit the Irish nature, but equality

of opportunity is their opportunity. "Wherever the human touch is the essential of success," writes Orth, "there you find the Irish. That is why in some cities one-half the teachers are Irish; why salesmanship lures them; why they are the most successful walking delegates, solicitors, agents, foremen, and contractors. In the higher walks of life you find them where dash, brilliance, cleverness, and emotion are demanded. The law and the priesthood utilize their eloquence, journalism their keen insight into the human side of news, and literature their imagination and humor. They possess a positive genius for organization and management. The labor unions are led by them; and what would municipal politics be without them? The list of eminent names which they have contributed to these callings will increase as their generations multiply in the favorable American environment. But remote indeed is the day and complex must be the experience that will erase the memory of the ancient Erse proverb, which their racial temperament evoked: 'Contention is better than loneliness.'" [1] Leslie says it is a "current saying that the modern Irishman does not know what he wants, and will not be happy till he gets it." [2] Professor Bogardus says, "The Irishman has lent a greatly needed optimistic quality to American life. His lively good nature, quick wit, and illogical humor have given a wholesome tone to otherwise a too serious Americanism. The Irish immigrant has shown his strongest mental characteristic to be a striking disregard for circumstances. Anything or anybody, who arouses his wrath, feels his oncoming rush. He is a fighter, but he is far better on an offensive than on a prolonged defensive. Quick in action, he lands, if tripped, on his feet. His ability is available at the moment, wherever he is. His main gifts to Americanism are his generosity, joviality, quickness in wit and action." [3]

CHAPTER XIII

THE GERMAN

THE Germans who came to America prior to 1860 escaped the influences which changed the Germans who, remaining at home, were swept into the vortex of industrial prosperity, based on conquest, aggrandizement by war, and state exploitation. When Bismarck welded the German states into one, subdued Austria and then France, extorting territory and treasure, an era of wealth dawned in Germany that dazzled the plain people and led them to think that the Prussian aristocracy could conquer the world. The lust of conquest took possession of all and all were equally to blame. The ferocity and brutality of primitive man and races came to the front. Millions marched to battle, quarreling among themselves, but united in the common aim of booty and confiscation. The hordes of their predecessors, Attila and Alaric, were no worse. They burned, sacked, destroyed, and left in their wake ruin and desolation. They had well-nigh succeeded when two million American troops, with unlimited munitions, money, and supplies, swept them from the field.

The Germans in America had a different career. They began coming in the 17th century. In Pennsylvania they were misnamed and are still misnamed as "Pennsylvania Dutch." They were and are Germans and not Dutch. In other states also they were often called "Dutch." Their qualities were essentially German — a simple, laborious, inoffensive, saving class of people, mild in their manners and not particularly refined in their customs, but the best farmers in America. Benjamin Franklin declared that the German immigrants pouring into Pennsylvania "are generally the most stupid of their own nation. . . . Not being used to liberty they know not how to make modest

use of it." [1] They gave little aid in the French War from 1756 to 1763 and very little in the Revolutionary War. They made good servants, farmers, and laborers. They had large families and to a large extent kept by themselves and did not mingle with other races. They still loved their groves, beer, and music, like their ancestors in Germany. Stocky in build, heavy and generally fleshy, they have had by intermarriage a decided effect in some parts of the country on the physique of the old-time typical American, tall, spare, and athletic. Of the 2,600,000 people in the thirteen colonies in 1775 it is estimated that 225,000 were Germans; they and the Scotch-Irish making nearly one-fifth of the entire population, although the census of 1790 makes them less. These Germans were probably the best farmers in America in colonial times. Orth says "Benjamin Rush, the distinguished Philadelphia physician and publicist, one of the signers of the Declaration of Independence, wrote in 1789 a description of the Germans of Pennsylvania which would apply generally to all German settlements at that time and to many of subsequent date. The Pennsylvania German farmer, he says, was distinguished above everything else for his self-denying thrift, housing his horses and cattle in commodious, warm barns, while he and his family lived in a log hut until he was well able to afford a more comfortable house; selling his 'most profitable grain, which is wheat' and 'eating that which is less profitable but more nourishing, that is, rye or Indian corn'; breeding the best of livestock so that 'a German horse is known in every part of the State' for his 'extraordinary size or fat'; clearing his land thoroughly, not 'as his English or Irish neighbors'; cultivating the most bountiful gardens and orchards; living frugally, working constantly, fearing God and debt, and rearing large families." [2]

Most of the Germans who came to America prior to 1850 were undoubtedly looked upon and treated as an inferior race. They cut but little figure in the nation's affairs and were noted in the cities chiefly as brewers. The Civil War changed this. The

Germans rallied to the support of the Union and showed that they had mettle in them. And even in the recent "World War" the Germans in America as a rule were loyal to America as against Germany itself. Nor is it to be forgotten that when the German government and Prussian Junkers drove out liberal Germans, such as Carl Schurz (who came with the price on his head), these liberal, liberty-loving, intelligent Germans came to America and have always favored good government. Commons, on "Races and Immigrants in America," says: "From the time of the Napoleonic wars to the revolution of 1848, the governments of Germany were despotic in character, supporting an established church, while at the same time the marvelous growth of the universities produced a class of educated liberals. In the revolution of 1848 these took a leading part, and although constitutional governments were then established, yet those who had been prominent in the popular uprisings found their position intolerable under the reactionary governments that followed. The political exiles sought America, bringing their liberalism in politics and religion, and forming with their descendants in American cities an intellectual aristocracy. They sprang from the middle classes of Germany, and latterly, when the wars with Austria and France had provoked the spirit of militarism, thousands of peasants looked to emigration for escape from military service. The severe industrial depression of 1873–79 added a powerful contributing cause. Thus there were two periods when German migration culminated: first, in 1854, on political grounds; second, in 1882, on military and economic grounds."[1] Ross, on the "Old World in the New," says: "The political exiles famous as the 'Forty-eighters' included many men of unusual attainments and character, who almost at once became leaders of the German-Americans, exercising an influence quite out of proportion to their numbers. These university professors, physicians, journalists, and even aristocrats, aroused many of their fellow-countrymen to feel a pride in German culture, and they

left a stamp of political idealism, social radicalism, and religious skepticism which is slow to be effaced." [1] Norlie correctly says "Over 90% of the German immigrants have come from the poorer classes, who settled on the frontiers and worked in the humbler stations in the cities, factories, and mines. Political exiles, who came here after the revolutions of 1830 and 1848, were mainly from the upper classes. . . . The great body of Germans have been God-fearing, law-abiding, hard-working, and thrifty, loyal to this country in war and peace. They have been rather slow to give up the German language and ways entirely, but this is no evil trait, and America has richly gained thereby. The Germans have given America, not only willing workers on farms and in factories, but large contributions in education, science, music, art, and religion." [2]

The Germans have not sought public office; they have not, like the Irish and Jews, clubbed together to get "recognition"; they have gone about their business in a quiet way; they have intermarried with Americans, so much so that their identity has been largely merged; they have cultivated and extended the love of the best music.

Many of their present literary men and agitators in America are different; these are more or less communistic, neither appreciating nor accepting American principles of constitutional government; they are largely communists and have been found under the Red Flag. Force and fear are the only things they respect, and force and fear they will get. The pig-headedness and short-sightedness of its muddleheaded German King cost England its American Colonies in 1776. Similar qualities of Kaiser Wilhelm wrecked the German Empire in 1914.

During the eighty years from 1840 to 1920, 5,374,278 Germans came to America. In 1914 foreign-born Germans and their children in the United States numbered about seven millions, besides those whose more remote ancestors were German. In 1920 German was the mother tongue of 8,164,111 in this country, a little less than in 1910.

Orth, after pointing out the organized effort of Germans in America after the outbreak of the World War to render America subservient to German interests, says: "But the German element . . . had become incorporated into the national bone and sinew, contributing its thoroughness, stolidity, and solidity to the American stock. The power of liberal political institutions in America has been revealed, and thousands upon thousands of the sons and grandsons of German immigrants crossed the seas in 1917 and 1918 to bear aloft the starry standard upon the fields of Flanders against the arrogance and brutality of the neo-Prussians." [1] The fact is that when Germans emigrate, they do not remain Germans, especially when they emigrate to America. Waldstein says: "In former days the German settler in the United States, in South America, and in all other countries, in most cases, if not in all, left his own country and chose a foreign home in which to found a new life for his family, because he was clearly dissatisfied with the political, social, and economic conditions of his own country. He left it with the clear and set purpose of thus denationalizing himself. Furthermore, there was no active and positive influence emanating from the country which he had left to feed and to strengthen his national allegiance to the country of his birth and to encourage in him the national pride which, to some extent, must underlie national patriotism." [2]

The Germans in America can be relied upon to sustain American institutions. They differ from the New England, the New York, and the Southern types, and their influence has not been profound on the Western type, but their instincts, principles, and habits are good, and widely mingled they help American character.

CHAPTER XIV

THE JEW

A STRANGE race of the Orient, where famine and governmental terrorism for centuries have implanted fear and wile in the human mind! Hostile to physical labor they are world-wide traders, especially in money. In fact, they originated the draft to transfer money secretly and avoid the robbery and tortures of the Middle Ages. For hundreds of years they were subjected to thumb screws and the rack to reach their hidden wealth. No wonder that fear is in their nature. Henry III of England mortgaged all the Jews in his kingdom as security for money which he borrowed. From 1290 until Cromwell's time Jews could not legally live in England, and although they were there, the general sentiment about them is shown in Shakespeare's "Merchant of Venice" and Marlowe's "Jew of Malta." Without a country or a flag that they care for, they are always an alien race abiding in an alien land.[1] They preserve their separate identity and intermarry little with Christians. For a thousand years they have sought social recognition, but their customs, habits, manners, conversation, and ideas of life forbid. Until they do get social recognition they will remain a separate race, because marriage involves social equality. They are the oldest extant civilized race in Europe or America and stick to their race, creed, and separate identity through persecution, dislike, temptation, and migration. They are the quicksilver of all nations.

The Jews repudiated Christ and Spinoza (the latter's excommunication in 1656 was revoked in 1927) and were repudiated by Heine. With extraordinary vitality and persistence, even when persecuted and despised, they are submissive rather than

conciliatory; they have no wide-extending sympathy which recognizes the brotherhood of man; they never tear down the walls of separation between race and race.[1] Their blood is rarely touched by intermarriage, conversion, or loyalty to another people. They are not weak and their nature is intense and highly emotional. They cling with startling tenacity to every element of a separate race and have maintained their solidarity unimpaired for over four thousand years, while nation after nation has risen and fallen. To indomitable energy they add an amazing hope. Clannish to the last degree, an injury to one is an injury to all. They stick by each other through thick and thin. They are viewed with dislike and often alarm by reason of their power in trade and finance and politics. They are not inventors nor creators nor original thinkers nor establishers of governmental institutions, nor organizers of great industries, such as steel and machinery. "If we except the spheres of poetry and ethics, the Semite in Babylon, as elsewhere, proved himself a clever adapter, not a creator." [2] They are middlemen and money loaners. They are not painters or sculptors, but excel in music, although Wagner questioned this.[3] They are not great builders; even Solomon's Temple (a structure far beyond the resources of his kingdom) was due to the skill of Tyrian workmen whom the King obtained from Hiram, his Phœnician ally, about nine hundred years before Christ. In that day they were farmers and shepherds with little or no commerce. Solomon gave Hiram, King of Tyre, twenty cities. "And Hiram came out from Tyre to see the cities which Solomon had given him; and they pleased him not." [4] Evidently even at that early day the Jews did not believe in over-payment. Solomon's reign was demoralizing and from his time the race, as a nation, began to decline. The Romans tried to rule the Jews by peaceable means but found it impossible and so destroyed Jerusalem and scattered the Jews over the face of the earth. In 66 A.D. the Jews had revolted. In terrific assault by Titus in 70 A.D. the city fell, partly because the Jews

divided into three factions and wrangled with each other as to who should be leader and how the defense should be conducted. One held the lower city, another the upper city, and the third the Temple between. "They fought with each other incessantly, each burning up the supply of provisions accumulated by the other." [1] Then famine came. The soldiers of Titus fired and destroyed the Temple. In 132 A.D. the Jews revolted again. It took three years to put them down and then, the patience and toleration of the Romans being exhausted, Hadrian, the Emperor, forbade Jews entering Jerusalem again on pain of death. This was the great "Dispersion." And yet they did not disappear, nor were they absorbed by other nations. They maintained their separate identity with a persistency rarely matched in history. They showed remarkable vigor, tenacity, and powers of endurance and replenishment. "The discipline of the desert bred in the race not only a keen observation of natural phenomena, but a mental alertness and practical curiosity towards every stir and happening of human life upon it, forcing the mind to face and question facts and to an immediate responsiveness to all that was ominous and alarming." [2] In all this the Jew resembles his cousin, the Arab, who is practically the same now as he was in the dawn of history.

The purity and humanity of the ethical principles of the New Testament and parts of the Old; their appeal to the heart and the mind; their poetic imagery; their power of expression and condensation, simple but of sublime force in the use of language; have never been equaled in the history of the world, and they are Hebraic in their origin. The influence of the Bible on Puritanism has been very great. Colonial New England was largely governed by it. Cromwell's Ironsides went into action singing the Psalms. Cromwell went himself into battle with a text on his lips. Scotch Presbyterianism was permeated by the sayings of the prophets and by the Psalms.[3]

President Coolidge in an address at Washington on May 3, 1925, paid tribute to the fact that the Bible is Hebraic and that

it was profoundly revered and followed by the American colonists.[1] True, and it was true also of all Christendom more or less in those times, but the debt of Christendom and of the American colonists was due chiefly to the New Testament, — Christianity, — which was and still is repudiated by the Jews. Even the Old Testament, while Hebraic, was only partly Jewish, and many of its leading prophets were not from the tribe of Judah but from the other eleven tribes.[2] President Coolidge also mentioned that the Jews in America at the time of the Revolution favored it and that they always have been advocates of liberty. That also is true and naturally so in view of the persecutions they experienced in all other countries. By reason of this they have favored liberty, but that does not change the fact that they are Jews first and Americans second; that they are an alien race in the nation; that they refuse to coalesce and propose to maintain their separate identity and social existence — a Jewish *bloc* of portentous proportions, grasping for wealth and power. The debt which the modern world owes to the Bible hardly extends to present Hebrews any more than the world's debt to Greece and Rome extends to modern Grecians and Italians. Nearly two hundred years ago David Hume in an essay wrote: "The ingenuity, industry, and activity of the ancient Greeks have nothing in common with the stupidity and indolence of the present inhabitants of those regions. Candour, bravery, and love of liberty formed the character of the ancient Romans; as subtilty, cowardice, and a slavish disposition do that of the modern." [3]

The Russian, Polish, and Austrian Jews are about five-sixths of all the Jews in the country. They are found largely on the lower East Side of New York. There they congregate and are socialists. The House of Representatives of the New York legislature (the Assembly) expelled five representatives of the New York City Socialist Party from the House in January, 1920.[4] Whatever may be thought as to the propriety of this, it was a

clear and emphatic notice that America will not tolerate Karl Marx ideas, nor Russian Soviet ideas, nor red flag ideas. Such immigrants are hostile to American institutions and the republic. They have a daily newspaper printed in Yiddish with 160,000 circulation. Its principles are essentially those of Karl Marx. In fact, the only substantial socialistic *bloc* in this country consists of these Eastern Jews. Most of them did what they could to obstruct America in the World War. In 1917 a majority of their votes were cast for a socialist mayor of New York. Hendrick says, "An actual count in the clothing workers of America shows, 175,000 radicals against 30,000 conservatives." [1] It is difficult to deal with such people. They are incapable of understanding, much less of appreciating American institutions. They never should have been admitted. They are a menace and the heavy hand of the law should be put upon them. If a vote of the American people were taken today, the vote would be, "We want no more of them." Orth, after pointing out the intellectual superiority of the Spanish-Portuguese Jews and the German Jews who came to America, speaks then of the Russian Jews and says: "Nearly a million of these people are crowded into the New York ghettos. Large numbers of them engage in the garment industries and the manufacture of tobacco. They graduate also into junkdealers, pawnbrokers, and peddlers, and are soon on their way 'up town.' Among them socialism thrives, and the second generation displays an unseemly haste to break with the faith of its fathers. The Jews are the intellectuals of the new immigration. They invest their political ideas with vague generalizations of human amelioration. They cannot forget that Karl Marx was a Jew; and one wonders how many Trotskys and Lenines are being bred in the stagnant air of their reeking ghettos. It remains to be seen whether they will be willing to devote their undoubted mental capacities to other than revolutionary vagaries or to gainful pursuits, for they have a tendency to commercialize everything they touch. They have shown

no reluctance to enter politics; they learn English with amazing rapidity, throng the public schools and colleges, and push with characteristic zeal and persistence into every open door of this liberal land." [1] Bostwick writes: "There have always been two kinds of Jews — those friendly to foreign customs, modes of thought and relationships, and those who keep sternly, even fanatically to themselves. The former, the 'Hellenizing' Jews of the ancient world, are represented in modern days by the great and familiar Jewish names — the Disraelis, the Rothschilds, and so on — in the United States by names that will occur to all; men none the less proud of their Hebrew heritage because they are willing and anxious to work shoulder to shoulder with their comrades of other faiths and races for education, for civic betterment, for righteousness in general. The latter are represented by the severely orthodox Jews of Poland and Russia who have been driven to our shores of recent years. In the West, if we may be rash enough to attempt a generalization, here also the former type of Jew is proportionately stronger than in the East." [2]

One cause of dislike of the Jews in this country is that they have driven out the Christians in many lines of small and also large trade. Their prices are generally cheaper, as also the quality of their goods. The New England idea of giving value received is not their idea. The standards of business are lowered and the American disappears. In the same way American labor, to its credit, refuses to compete and live as foreign labor lives. Even the Irish are driven out by the Jew, who in turn is underlived by the Armenian, and the latter in turn by the Chinese and Japanese, until excluded by law. The experience of California with the Japanese shows how Americans will stop rather than compete with a race of different methods. MacLean writes, "A study of the richest agricultural lands in California shows 3,893,500 acres under irrigation and it is on these lands that the Oriental has settled, now occupying 623,752 acres, of which 458,056 are occupied by the Japanese. This is a source of con-

stant irritation to the white settlers who see themselves outdistanced in the race for land ownership by a people whose efforts are untiring, whose working day knows no end, and whose women and children always assist. It requires no special acumen to see that such a situation is foredoomed to create friction. The instinct of self-preservation, which is the first law of life, asserts itself at once."[1] Crothers and Hudnut say of the Japanese farm owners and farm tenants: "Their competition was keenly felt by the small white farm owner, the man who himself worked in the field. The Japanese was accustomed to laboring 12, 14, even 16 hours. He toiled unremittingly. Holidays, Sundays alike saw him bending in the fields over his daily work. Beside him worked his wife and children, co-laborers with him. The native American, whose wife and children did no field labor, who himself worked only ten hours, who expected to rest Sundays and holidays, could not produce as much as the Japanese. His standards demanded a better dwelling, different and more expensive food. He found himself faced with an impossible competition."[2] The energy and thrift of the Asiatic are commendable up to a certain point but beyond that they prevent decent standards of life and development of character. Energy and thrift may succeed in dominating industry but as between races may drive out the higher civilization. Americans are energetic enough and thrifty enough without competing with races which sacrifice everything to those qualities. Thrift may be a good basis for character but is not the whole superstructure. And Bercovici writes, "Practically all of the hundred thousand Japanese, of whom a little more than thirty thousand are natives of this country, reside in twenty-nine of the richest counties of California. In eighteen counties they are climbing toward a majority of the population. In seven counties 75 per cent of the births registered are Japanese. In these counties they occupy about 50 per cent of the irrigated area and raise small fruits and vegetables."[3] If California had not stopped this by land laws,

that state probably would become a Japanese state, practically if not politically, the same as New York City is becoming a Jewish city. Siegfried, a careful recent French writer, says: "It is not that the Asiatic has any greater technical skill, but simply that he is ready to accept a wage which would not keep a white man alive. His standard of living allows him to work, if not for the bottom price, at any rate for a very low one. He manages to survive and even to prosper under the most mediocre living conditions, for he can endure exceedingly long hours of work and bad lodging. As Lafcadio Hearn tragically expresses it, 'Asia can underlive Europe.' The white workman fights an unequal battle, because he moves on a different plane. He is better equipped for manufacturing, but only when conditions are such that his normal output can be obtained. He may have benefited by his years of progress, but they have made him a prisoner to healthy living-conditions, good food, comforts, and recreation, all of which are superfluous to his rival. After all, this is what we call civilization; and to defend it he requires a salary so high that even the minimum is prohibitive. If he does not receive it, his social status inevitably declines, which means that the high level of civilization in America is threatened by the co-existence in the same market of labour of different races. Whenever the market is unrestricted, it is the poorest who survive; for they are the most adaptable. The lower classes then change in character, and whole professions are wrested away from the superior race, until a time arrives when the latter finds that it is living in its own country like an army of occupation among foreigners. . . . By 1924 two-thirds of the Japanese in California had gone on to the land, and the remainder consisted of shopkeepers, domestic servants, and professional men. It was therefore on the farms, especially in certain areas where they had concentrated, that their presence was considered a menace. By 1919 no less than 458,000 of the 3,893,000 acres of arable land were in their possession. In certain counties, such as San

Joaquin, Colusa, Placer, and Sacramento, they owned more than half the land and monopolized certain crops. For example, they cultivated 89 per cent of the celery, 83 per cent of the asparagus, 79 per cent of the seeds, 76 per cent of the onions, 66 per cent of the tomatoes, 64 per cent of the cantaloups, and 50 per cent of the beetroots. Their methods of invasion are well known: first of all, they eliminate the white agricultural workers by accepting extremely low wages; then, when they are the only farm labourers left, they gradually increase their demands. Finally they disarm their employer by means of a strike, and replace him by buying or renting his farm. The day comes when the whites in a county perceive that they are no longer in the majority. The Japanese have sprung up everywhere, and their homes are swarming with babies. The very atmosphere is changed."[1] History is full of examples where one race has displaced another by underliving and overworking. The brilliant Greeks were extinguished by the infusions of barbaric blood; the steadfast Romans were submerged by the inrushing nations on all roads that led to Rome; the Spaniards in America gave way to the natives of Mexico and Central and South America; the French in the West Indies are retreating before the black. Weeds will underlive, overgrow, and crowd out the finest garden. It is not their religion or their race or their clannishness that makes the Jews unpopular. It is their methods. For the same reason that labor objects to aliens who lower the standard of living, the American business man objects to any race that lowers the standard of business. That kind of competition lowers the nation.

Spargo, who makes a strong appeal for toleration of the Jew, says: "Herein lies the danger of the anti-Semitic propaganda in this country and in England. It is invoking economic fear and resentment. The non-Jew is adjured to contemplate the spectacle of the Jews ousting the Gentiles from one industry after another, gradually assuming leadership and control of our indus-

try and commerce, thanks in part to superior intelligence, skill, and diligence, but in part also to a lack of moral scrupulousness. So the Jew is presented as a dangerous economic rival to be feared and guarded against." [1] Chesterton, an English writer, in his "History of the United States," says that America has boasted "and with great justice, that her democratic creed was a force strong enough to turn any man who accepted citizenship, whatever his origin, into an American. But in connection with the general claim, which experience has, on the whole, justified, there are two important reservations. One is that such a conversion is only possible if the American idea — that is, the doctrine set forth by Jefferson — when once propounded awakens an adequate response from the man whom it is hoped to assimilate. This can generally be predicted of Europeans, since the idea is present in the root of their own civilization: it derives from Rome. But it can hardly be expected of peoples of a wholly alien tradition from which the Roman Law and the Gospel of Rousseau are alike remote. This consideration lies at the root of the exception of the Negro, the exception of the Mongol, and may one day produce the exception of the Jew. . . . The Jew has, ever since the Roman Empire, been found a singularly unabsorbable person. He has an intense nationalism of his own that transcends and indeed ignores frontiers, but to the nationalism of European peoples he is often consciously and almost always subconsciously hostile. In various ways he tends to act as a solvent of such nationalism. Cosmopolitan finance is one example of such a tendency. Another, more morally sympathetic but not much less dangerous to nationalism in such a country as America, is cosmopolitan revolutionary idealism. The Socialist and Anarchist movements of America, divided of course in philosophy, but much more akin in temper than in European countries, are almost wholly Jewish, both in origin and leadership." [2]

Jews do not take to farming, but they certainly know money and swarm in the great cities. Commons, in his "Races and

Immigrants in America," says as to the Jews farming, "Of the thirty thousand families sent out from New York by industrial and agricultural removal societies, nine-tenths are located in industry and trade, and the bulk of the remainder, who are placed on farms, succeed by keeping summer boarders. Depending on boarders, they neglect agriculture and buy their foodstuff. Their largest colony of hoped-for agriculturists, Woodbine, New Jersey, has become a clothing factory." [1] Lecky says as to the Jews, "For many centuries it would have been impossible for them to have lived in peace as farmers or agricultural laborers among a Christian peasantry, and if they ever possessed any aptitude or taste for agricultural pursuits they have long since wholly lost it." [2] A Jewish magazine, issued in January, 1926, states that there are "almost 15,000 Jewish farm families," cultivating a million acres in the United States. Even so this is very small proportionately. Fifteen thousand Jewish farmers are lost in the 6,448,000 agriculturists in this country. And a million acres are few as compared with five hundred millions now under cultivation, especially as the Jews are about one thirty-third of our population. Only about 2% of the Jews were on the farms in 1926 according to the Jewish Agricultural Society report for that year. Fishberg says the Jew "could not become a farmer, because he was nowhere permitted to own or lease land. Moreover, considering his precarious position, always liable to expulsion from a country without warning, it would be dangerous for him to own land, which cannot be taken along when one must move quickly. The trade guilds of the Middle Ages were practically Christian organizations, into which persons of other faiths could not gain admission. This excluded the Jews from nearly all industrial occupations. It is thus evident that the only occupations left open for them were trading in merchandise and money." [3] On the other hand, Ruppin, a Jewish writer, says: "It is a mistake to account for the fact that the majority of Jews are occupied in trade by saying that the Christians of the Middle

Ages shut them out from all other callings. It was not in Europe that the Jews first became traders; since the Babylonian exile they had devoted themselves in ever-increasing numbers to trade in Syria, Egypt, Babylon, etc. . . . The Middle Ages did not turn them into traders, but merely intensified and increased an aptitude that was already there." [1] Professor Ripley says, "The peculiar problems of Jewish distribution are only half realized until it is understood that, always and everywhere, the Israelites constitute pre-eminently the town populations. They are not widely disseminated among the agricultural districts, but congregate in the commercial centres. It is an unalterable characteristic of this peculiar people. The Jew betrays an inherent dislike for violent manual or outdoor labour, as for physical exercise or exertion in any form. He prefers to live by brain, not brawn. Leroy-Beaulieu seems to consider this as an acquired characteristic due to mediaeval prohibition of land ownership or to confinement within the Ghetto. To us it appears to be too constant a trait the world over, to justify such an hypothesis." [2]

The Jews do not thrive in New England where they meet their match. Without the physical courage of soldiers they make their power felt in time of war as financiers. Not opposed to Anglo-Saxon ideas of liberty, yet they do not, like the Americans, make almost a religion of the Constitution, which alone makes America possible. The Jew knows, however, that American constitutional law protects him against religious persecution and race taxation and gives him liberty of speech. On the other hand, he knows the power of public opinion, which works in wondrous ways, and he is sensitive to social and financial ostracism. Observe what public opinion has done to the Mormons and negroes. Spargo, while deprecating opposition to the Jews, specifies seven measures advocated in England against them. These specifications are given in the note hereto.[3] Some of them would not be constitutional in America.

The Jews care for their poor and sick and suppress crime, but

as a rule confine their charities to themselves, and do not endow the great universities, but crowd into them for what is largely a free education. The Dutch allowed Jews to be in New Amsterdam (New York) "on the simple condition that they should support their own poor." Fiske remarks that this "condition has been well fulfilled, for such a kind of person as a Jewish pauper has seldom been seen." [1]

There were few Jews in the colonies prior to 1760 because there were few in England and the other colonizing countries. Even so late as 1811 out of fifty-five churches in New York City only one was a Jewish Synagogue.[2] Oscar Straus writes, "During the Revolution there were only a few hundred Jews within the limits of the United States." [3] Then as now they were found in the commercial centers. And even there their power is limited. The great banks and trust companies of New York do not employ them. The presidents and, with rare exceptions, the staffs are non-Jews. The Jews cut little figure in ordinary banking. They take part in international banking and in financing corporations, but apparently nearly all Jews prefer to keep their bank accounts in Gentile banks. This in itself is a commentary. With great penetration of intellect their vision is short-sighted and lacks the breadth, safety, daring, and wisdom of the Anglo-Saxon. Sombart, an able defender of the Jews, says: "The Jew certainly sees remarkably clearly, but he does not see much. He does not think of his environment as something alive, and that is why he has lost the true conception of life, of its oneness, of its being an organism, a natural growth. In short, he has lost the true conception of the personal side of life. . . . The Jew never loses himself in the outer world, never sinks in the depth of the cosmos, never soars in the endless realness of thought, but, as Jellinek well puts it, dives below the surface to seek the pearls. He brings everything into relation with his ego. He is forever asking why, what for, what will it bring. *Cui bono?*" [4] With few exceptions the Jews are not inordinately wealthy. They are

a race of money-getters and traders, greedy for money, greedy for power, but for business and commerce on a large scale they cannot compete with the American. In literature and philosophy the mysticism of the Orient tinges their thought and expression. They are devoted to their families and spend liberally on display. In fact, vanity in display has been the source of many of their troubles, social and governmental. Selfishness explains the rest. The Americans have much to learn from them in the economies of life, but little to learn in the general conduct of life. Saving may be a virtue but avarice is a vice. They have crowded into the legal profession to its detriment. They have lowered the standards of the theater and moving pictures. They and the Irish have a strange affinity, but the impulsive, improvident Irishman is easily overreached.[1] In business the Jew is fertile in suggestions, but those suggestions have to be weighed in the scales of reason and are not always safe and fair. Tricky and ruthless and at times unscrupulous in their dealings, yet they are not mixed up in the scandalous steals. They work long hours in business and are always thinking. As creditors they can be as cruel as Moloch and they despise the word "usury." During the early Christian and Middle Ages Christians, following Aristotle's idea, were forbidden to loan on interest, but this did not bind the Jew and he reaped a harvest. The Christian was said to have borrowed money to waste on consumption instead of production, and it was thought the easiest way to stop the expenditures was to stop the lenders from loaning. The Jew by the Mosaic law could not loan on interest to another Jew but could to a Gentile. The Christian theory finally broke down. But money getting is not the highest of human pursuits, and when a race devotes itself to that and keeps what it gets and builds up an obnoxious financial power, there is sure to be a collision and the money getter gets hurt.[2] That explains most of the Jewish persecutions. Sombart frankly admits that the Jew "follows business for its own sake; he recognizes . . . the su-

premacy of gain over all other aims," and again, "To my mind, the whole case can be summed up by saying that the Jew to a certain extent held that in business the means justified the end." [1] Siegfried, a French writer, says "Socially they [the Jews] are only too anxious to attach themselves to the Christians. Surreptitiously they have invaded their hotels until they have crowded the Gentiles out. They have wormed their way into the clubs in spite of the ostracism and insults designed to exclude them. With their brilliant intellects, they have firmly established themselves in the universities, where the mediocre element tries instinctively to oust them. So this pseudo-American ferments at the bottom of the Melting Pot, unassimilated to the end. . . . The knowledge that the Americans have encountered something which they cannot assimilate has long stirred up an anti-Semitic feeling which accounts for the aloofness of the Jew in his American environment. First, the Gentile fears, and with reason, the competition of the Jew in business, and despises him as a matter of course, although regularly at the end of every month the balance-sheet shows that the Jew has outstripped him again. This is doubtless the result of his commercial astuteness, but it is due also to his insatiable ambition and to his business activity, which at times amounts to frenzy. The Americans, especially in New York — that new Jerusalem — have a grudge against him, because he forces them to keep up with his feverish pace." [2] In 1819 John Quincy Adams, Secretary of State, at a Cabinet meeting, said the world might charge America with ambition but "if the world do not hold us for Romans they will take us for Jews, and of the two vices I had rather be charged with that which has greatness mingled in its composition." [3] But it is to be borne in mind that as Reich says, "The prevailing notion of universal Jewish success is . . . highly exaggerated. The vast majority of the Jews are paupers. It hardly needs a journey in eastern Europe to bring home this fact, when there are such numbers of poverty-ridden Israelites in the Western capitals.

Their misery is, no doubt, to some extent hidden, in that the rich Jew, animated by that spirit of solidarity which marks all Jewish communities, comes to the succor of his poorer brethren, who would otherwise become a burthen on the public relief funds. The number of Jews who have attained exalted positions in wealth and politics (we need only cite the Rothschilds for riches; and Crémieux in France, Lassalle in Germany, Disraeli in England for political distinction) has, no doubt, tended to give this overdone idea of Israelite prosperity." [1]

Whoever criticizes the Jews is immediately attacked by their press, organizations, and spokesmen. As long ago as Cicero's time, in defending a client against Jews he said: "You know how numerous that crowd is, how great is its unanimity. . . . I will speak in a low voice, just so as to let the judges hear me. For men are not wanting who would be glad to excite that people against me and against every eminent man; and I will not assist them and enable them to do so more easily." [2] Even now the Jews propose to limit free speech as to a race by enacting a law creating a new kind of criminal libel to be applied by judge and jury. The colossal impudence of the proposition shows how far they are from upholding the Anglo-Saxon institution of free speech. If such a law had existed in England during the past century, the English jails would have been full of English writers who abused America. The proposition, however, although absurd, shows what the Jews would do if they had the power. Anglo-Saxon ideas of liberty would go into the discard. Professor Ross on the "Old World in the New" says, "In New York the line is drawn against the Jews in hotels, resorts, clubs, and private schools, and constantly this line hardens and extends. They cry 'Bigotry,' but bigotry has little or nothing to do with it. What is disliked in the Jews is not their religion but certain ways and manners. Moreover, the Gentile resents being obliged to engage in a humiliating and undignified scramble in order to keep his trade or his clients against the Jewish invader." [3] On the

other hand, Professors Park and Miller say: "The question of prejudice and discrimination may be set aside as not serious enough in America to affect the persistence of immigrant groups. The Jews have felt it, but in general the Jew is losing the marks of his identity as fast as possible, and to the degree that he does this the prejudice disappears. 'To the degree that racial minorities are not secure in their rights' (as Justice Brandeis puts it), the separateness will continue." [1] Professor Shaler of Harvard says: "The intense and high religious motive of the Jews has given to that wonderful folk, which never attained any considerable station in war, commerce, or the arts, a strange dominance over all Western civilization. It has, moreover, endowed their scattered remnants with a power which abides, after two thousand years of oppression, such as would have utterly crushed a spiritually weaker people." [2] True enough, and it would be cordially appreciated, if with it there did not go certain business principles and methods which are not so acceptable. There is little or no prejudice in America against the Hebrew religion nor in fact against the Jews as Jews, but there is a deep-seated prejudice against the Hebrew grasping spirit and want of business ethics. As Enock, an English writer, says of the former European opinion of Americans generally, "If they earned a name for enterprise it was sometimes coupled with that of sharp practice, and the term 'Yankee goods' was once a term of reproach." [3]

Disraeli, the Jew, in a novel in 1844 wrote: "You never observe a great intellectual movement in Europe in which the Jews do not greatly participate. The first Jesuits were Jews; that mysterious Russian diplomacy which so alarms western Europe is organized and principally carried on by Jews; that mighty revolution which is at this moment preparing in Germany and which will be, in fact, a second and greater Reformation, and of which so little is as yet known in England, is entirely developing under the auspices of the Jew." [4] Disraeli if alive now might

not care to refer to Russia and Germany as subject to Jewish influences.

Diplomacy and intrigue characterize the Oriental mind. The Turk, unspeakable and insufferable as he is, has held Constantinople and Asia Minor for generations by his genius in imposing on Christian Europe. China and Japan are not backward in the same methods. But the Jew is supreme in this art. His subtlety enables him to accept any position, however autocratic may be those above him or desperate the situation around him. Sombart says, quoting from Jewish writings, "When the fox is in authority bow down before him." "Bend before the wave and it passes over you; oppose it, and it will sweep you away," and then he quotes from the Prayer Book: "May my soul be as the dust to every one" and from Fromer, "The Jewish race, by simulating death from time to time, was able to live on and on." [1] Nor is the Jew a far-sighted statesman or profound or particularly devoted to any one country, but by means of his solid racial support, his wealth, and his aggressive ambition, he spasmodically pushes himself into high positions and then is put down. He is put down because the public do not like his methods or his aims. And this suspicion will last so long as the Jew persists in devoting himself to building up the Jewish power instead of the good of the country. And when he is put down or put out, he conspires, as in Germany and Russia.

Turning to Lecky, his views were as follows: "The enormous power which Jews have obtained in the press and the money markets of Europe is very evident, and great power is never more resented than when it is in the hands of men who suffer from some social inferiority. Jews, in some countries, are specially prominent in unpopular professions, such as taxgatherers and small money-lenders, agents, manipulators, and organisers of industry. They have little turn for labouring with their hands, but they have a special skill in directing and appropriating the labour of others. They have come to be looked upon as typical capitalists,

and therefore excite the hostility both of Socialists, who would make war on all capitalists, and of the very different class which views with jealousy the increasing power of money, as distinguished from land, in the government of the world; while, on the other hand, they have themselves contributed largely to the socialistic and revolutionary elements in Europe. Among their great gifts, they have never, as a race, possessed the charm of manner which softens, conciliates, and attracts, and the disintegration of politics, which is such a marked feature of our time, brings every separate group into a clearer and stronger relief. It is as a distinct and alien element in the national life that they have been especially assailed." [1] Carlyle's opinion is given by Froude as follows: "His dislike for Disraeli was perhaps aggravated by his dislike of Jews. He had a true Teutonic aversion for that unfortunate race. . . . They had contributed nothing to the 'wealth' of mankind, being mere dealers in money, gold, jewels, or else old clothes, material and spiritual." [2] Bismarck said: "The mingling of Jewish blood with the various German stocks introduces a certain sparkle whose value must not be underestimated." Bismarck gave a general power of attorney for the management of his property to the leading banker, a Jew, Bleichröder, and paid no attention to the clatter about favoring the latter in government financing. Bismarck said that in 1866 Bleichröder "provided me with the means for carrying on the war [with Austria], which no one else would supply." [3] However, Bismarck's greatness is not so great as it was. He led his people on the wrong road and yet did not trust them.[4] It ended in William Hohenzollern, a refugee in Holland — a grand smashup, and the people came into their own.

The above is not a pleasant picture and there are many brilliant exceptions to these statements; men who have helped to temper American characteristics. If the Jewish element is ever absorbed into the American, it will be a powerful strain of blood — somewhat too commercial, somewhat mystical, but intellec-

tual, practical, and economic and of tremendous vitality and tenacity.[1]

England expelled the Jews in 1290 (some 16,000 were driven out); France in 1395; Spain in 1492 (over 200,000 were expelled); Portugal in 1495, and when Portugal took Brazil from the Dutch, the Jews were expelled from Brazil also. The Spanish Jews were called "Sephardim," the Hebrew word for Spain being Sepharad.[2] These Spanish, Portuguese, and Brazilian exiles went largely to Holland and their descendants are found in America. The German Jews came after the Napoleonic wars and especially in the middle of the century. They were called "Ashkenazim," the Hebrew for Germany being Ashkenaz.[3] Of late years the influx is almost entirely from Russia, Poland, and Austria-Hungary. The Jews in these three countries were very largely from German cities from which they were driven eastward about five hundred years ago. Some of them were probably descendants of the Khazars, a Tartar tribe, converted to Judaism in the eighth century, and their kingdom in southern Russia destroyed by Russia in the tenth century.[4] Professors Park and Miller say, "The Spanish and the Portuguese Jews found it difficult in the first half of the last century to admit wholeheartedly the German Jew to a close kinship with them — a difficulty which the German Jews experienced almost half a century later with the Jews hailing from Russia, and the Russian Jews in their turn only a decade later with the Jews coming from Galicia and Rumania."[5] Browne says, "At first it was only the Sephardic Jews from Spain and Holland who wandered to the new colonies [of America]. But soon the Ashkenazic Jews from Germany began to emigrate to them also. The Thirty Years War had brought ruin in their homeland to countless thousands of these Ashkenazim, and in droves they now poured out to settle in freer places. They fled to Holland, and thence to England and America. And everywhere a feeling of coolness arose between them and the Sephardim. The two groups were quite unlike each

other, not alone in language and culture, but also in stature, features, and complexion. They seemed almost to belong to two different races. (There must have been much Spanish blood in the veins of those former Maranos [Christianized Spanish Jews], and not a little German blood in the veins of the others.) They kept apart from each other, praying in separate synagogues and using somewhat different rituals. Perhaps what united them most was the silent pressure of the Gentile, who drew no distinctions and called them all Jews. Of course, the Sephardim were considered the superior of the two groups, for they were far wealthier, more cultured, and better groomed than their brethren who had just escaped from the foul German ghettos. But for all that, those Sephardim were a sadly narrow and bigoted lot. They who had writhed so long in the clutches of an intolerant Church now became intolerant themselves." [1] Kautsky says, "Meanwhile a gap has opened up within Judaism itself; the wealthy and cultured Jews of the West, who have been almost assimilated, are in many cases unpleasantly affected by the new accession of their poor, ignorant 'Yiddish' brothers from the East. They very often regard the latter with feelings that might be designated as an anti-Semitism within Judaism itself." [2] "Let it be said in this connection," says Otto Kahn, "that German-Americans, whether Gentile or Jew, must not be confounded with Russian Jews naturalized or temporarily resident in America. Many of these, too, have proved themselves desirable and useful elements in our many-rooted population, but a certain proportion, the products of centuries of oppression and persecution and misery, ignorant of liberty and unacquainted with its use, have permitted themselves to be made the victims and deluded followers of Utopian or corrupt extremists, too often of their own faith and race." [3] Stephenson says, "Over 95 per cent of the American Jews have come from Russia, Austria-Hungary, and Rumania," [4] and that the 230,000 Jewish population in 1880 were mainly Spanish and German.[5] 5,000,000

Jews lived or rather existed in the "Russian Pale," created in 1843 out of what once was Poland. They were only about ten per cent of the population, but were not allowed to own or cultivate land, and hence lived in the towns in abject poverty. The Russian Revolution seems to have abolished the "Pale," but has not improved the governmental ideas of the Jews. They naturally developed abnormal qualities not fitted to a republic, and yet they all want to get to America. Outside the "Pale" are many higher-class Russian Jews who are merchants, professional men, students, skilled artisans, but Francis writes that these do not come to America for fear their children will abandon the Jewish faith.[1] Professor Ross, in his "Old World in the New," says there were perhaps 700 Jewish families in the colonies and that now one-fifth of all the Hebrews in the world are in the United States.[2] Peters says there were about 3000 Jews in the United States in 1818; 6000 in 1826; 15,000 in 1840; 50,000 in 1848; 150,000 in 1856; 221,000 in 1880; 400,000 in 1888; 937,800 in 1897, and 1,253,000 in 1905.[3] Jewish authorities state that now there are 3,320,000 Jews in the United States — if so, quite enough. They breed mightily like all Oriental races. During the 15 years from 1908 to 1922 less than 6% of the Jews who came in went back, while over 36% of other nationalities went out again.[4] In 1920 the Hebrew and Yiddish language was the mother tongue of 2,043,613 as compared with 1,664,142 in 1910. Professor Bogardus says: "The Hebrew language is read and written by many Jewish men and some Jewish women, but it is rarely spoken. Yiddish is the vehicle of conversation. It is a dialect which is sixteenth-century German in its elements, with an admixture of the country from which the given group of Jewish people come. Thus, among Russian Jews, Yiddish is perhaps 60 per cent German of the sixteenth-century type and 40 per cent Polish or Russian. It is a dialect with few characteristics of a language." [5] The Jews in America are found chiefly in the great cities; on the farms very little, and not in railroading nor in any

form of physical labor. Even the small towns have few of them. In 1924 it was stated that there were 946,139 Jews in New York City (including those, one of whose parents was a Jew) out of the 6,000,000 population of that city. In that city in 1923 for the first time there were more Cohens than Smiths in the New York City Directory. The most noted house on Fifth Avenue, the home of the Astors, has been torn down to make way for a synagogue of the Jews. It is said there are 1,500,000 Jews in and about New York City. In all Germany there were only 615,000 and in England only 257,000. Burr says: "Almost one-half of the Jews in the United States dwell in a circle radiating only to a short distance without New York City. Practically the entire number of Jews in the country are included within the four cities of New York, Chicago, Philadelphia, and Cleveland, with their surroundings." [1] Cohen, a Jewish writer, states that in 1917–1918 there were 1,500,000 Jews in New York City; 225,000 in Chicago; 200,000 in Philadelphia; 100,000 in Cleveland; 77,500 in Boston; 60,000 each in Baltimore, St. Louis, and Pittsburg; 55,000 in Newark; 50,000 in Detroit; 30,000 in San Francisco; 25,000 in Cincinnati; and for the remaining cities the numbers were much less.[2] Reliable figures are hard to get. The United States Census does not give them, on the theory that Jewry is not a nationality — a theory no longer tenable. The Census Bureau proposed to enumerate the Jews as a race, but they objected before a congressional committee and so Congress struck out the word "race" from the Census bill. As Senator Lodge said, this "was a great mistake." Emily Balch, in speaking of the failure of the immigration authorities to enumerate the incoming Jews separately, said: "The Jew . . . even the Polish or Russian Jew, is not only remote in blood and speech from all Slavs, but moves in another world of ideas and purposes, and plays a very different economic part both in Europe and America." [3] Speranza says: "It has been 'bigotry' for the Government of the United States to ask an arriving alien if he

is a Jew or a Gentile. We have not been permitted by an aggressive, culturally alien minority to make the national census helpful and scientific as an ethnological as well as a statistical and social survey of the *racial* elements of the nation; and we have been so cowed by the 'threats' of our alien-minded political constituencies that the government experts, who calculated the percentages of races and nationalities upon which the 'Quota Law' was applied, have deemed it advisable not to make their proceedings public." [1] But the Census departs from the basis of country or nationality when it gives figures as to the negro and it would be better even for the Jews themselves to stand up and be counted, so that it may be known where they are and how many there are of them. For instance, the fact that nearly all of them are in or near four cities simplifies the problem of dealing with them. Why do the Jews object? They apparently do not want America to know how many there are nor where they are. Secretiveness is out of place; so also are threats, even though threats of votes and of cutting off advertisements have been very effective. Always and everywhere the Jew is his own worst enemy. When the Jews sneer at the Nordic stock and impudently object to the recognition of Christianity in public places, the time has come for the Nordic stock to call for a show-down. Their objection to this country characterizing itself as a Christian country in public documents arrays against them needlessly the inherited beliefs of the American people. As Mr. Justice Brewer of the Supreme Court of the United States, in an address at Yale University, said: "This is a Christian nation. Not that the people have made it so by any legal enactment or that there exists an established church, but Christian in the sense that the dominant thought and purpose of the nation accord with the great principles taught by the founder of Christianity. Historically it has developed along the lines of that religion. Its first settlements were in its name, and while every one is welcome, whether a believer in Christianity or in any other religion, or in no religion,

yet the principles of Christianity are the foundations of our social and political life. It needs no judicial decision to determine this fact." [1] Rabbi Wise was right when in 1925 he pointed out that the Jews might better accept Christ as a great ethical teacher.

The Jews are more disliked than harmful. Trade and the manufacture of clothing are their chief vocations. The Jew is in favor of law and order, but he is not a fighter and he has never shown any enthusiastic partiality for American institutions. As a dweller in the cities, as adverse to agriculture and hard labor, as of little physical courage, as opposed to conflict and controversy, the Jew will never really enter American life and will be felt only by his vote and his money, unless his separate identity disappears.

Ex-President Eliot of Harvard in December, 1924, regretted the intermarriage of Jews with Christians. He said the Irish had not been assimilated in America and he did not expect assimilation of Jews or Irish or any other foreign people, and hoped no such assimilation would take place, but on the contrary that all white races that have come here since 1787 would maintain their distinctive racial qualities and gifts. By assimilation he said he meant not only intermarriage but also change of family and social habits. Now this separate existence may be desirable but amalgamation seems inevitable. It has already largely affected not only the Germans and Irish, but Huntington, speaking of Europe, says that "recent statistics show that Jews are marrying outside their own race and faith to an astonishing degree." [2] A recent English writer says, "There have been Jews in England, for example, off and on (and mostly on) for more than eight hundred and sixty years. Throughout these centuries, and in every century, there have been Jews who have taken Christian wives, and Jewesses who have found Christian husbands." [3] England with its practical power of absorption has utilized the successful qualities of the Jews by intermarriage between upper-

class English and rich Jews and Jewesses. In fact, the Spanish and Portuguese Jews have practically been absorbed in both England and the United States.[1] Dublin says: "The emancipated Jews in Germany, France, and England have virtually fused with the population and are hardly distinguishable from it. With the earlier Jews in this country the results are the same. The second and third generations of the more recent Jews are already in every respect more Americans than Jews and they intermarry largely with the non-Jewish population. If the number of Jews abates somewhat from the influx that has been so marked since the nineties, no fear, it would seem, need be entertained concerning assimilation; and although this type is physically less robust than the older American or other important types, it is nevertheless plainly not a degenerate type, but one capable of rapid improvement under more favorable conditions and one that often brings exceptionally good mental qualities." [2] An English writer (apparently Jewish) who has long studied the subject, wrote in 1926, "A minority religion is gradually worn down by the assimilation of its adherents to the majority population. Hitherto, in England and America, that process has been resisted among the Jews by constant freshets of new blood, poured in by more orthodox immigrants, who have been tested by persecution instead of by prosperity." [3] Those "freshets of new blood" have now been stopped by the immigration laws and the gates will not again be opened. Hence if this author is right assimilation will do its work and nothing can stop it. Reich says Jewry in America "has been undergoing a process of modernization. The strict rules of ritual with which the Jew, if an observant Jew, was expected to comply are being relaxed — the Sabbath need not be observed so severely, and restrictions in dress and diet and in intercourse with Gentiles have been allowed in great part to lapse into abeyance. In spite of all these modifications in his mode of life, the Jew is not likely to merge into his non-Jewish surroundings; he will neither allow

himself to be absorbed nor will he be allowed to do so. Antipathy against him is still unabated, and as long as this antipathy persists he will remain a foreigner, and not infrequently a successful foreigner."[1] If history teaches anything it teaches that two people, living in close contact for a long time, amalgamate or one is driven out. It is difficult to imagine the Jews, Irish, or Germans being driven out and hence the amalgamation will go on. With the Jews this will be slow on account of the nature of that people. Meantime it is a race that increases rapidly and does not lose its identity. President Eliot is right that the American race might better be confined to the stock that existed here in 1787, but who can stop the laws of nature? Professor Fairchild points out the absurdity and impossibility of President Eliot's idea.[2] The Jews refer to Switzerland where one part in its language and traditions is German, another part Italian, and a third part French, and yet the whole country is democratic while preserving the individuality of the three races. Hence the Jews argue that America may allow the preservation of each nationality within it, all speaking English, but each having also its own peculiar dialect and its own æsthetic and intellectual forms. This is all very well in theory, but America is not divided geographically and by race into three parts like Switzerland. Here, too, Professor Fairchild writes: "Distinctions of race affect the entire population, are fundamental, and can never be obliterated except as assimilation is so perfect that race is forgotten. No effort of the individual can blot out his racial identification. The most familiar example yet developed in the United States is that of the Hebrews. However sincerely we may admire their fine racial traits, however closely we may associate with individuals of the race, we cannot deny that they constitute a separate body in our population in many respects. Summer hotels are closed to them, or else other people avoid those resorts. Americans move out of the sections of cities where they are moving in. Select clubs are closed to them. There is obviously

an inconsistency here between our practical behavior and our traditional pose as the haven of refuge for the downtrodden and oppressed of all races. Either we should eliminate all discriminations on a racial basis or else we should revise our lip-formulas of universal welcome and fraternization. Both Hebrews and Americans may resent the bald statement of such facts. Can we deny their truth?" [1] Unless there is homogeneity in this country there will be factions and *blocs*, each trying to dominate, each demanding office and race legislation, and each impudently claiming that it shall share with the Anglo-Saxon the control of this country. Look how New York responds to the Jewish demands.

A most significant fact about American Jews is their persistent opposition to all laws restricting the immigration of Jews, especially from Russia and Poland, the refuse of Europe. Hebraism is preferred to Americanism. The motive probably is to increase the Hebrew vote. Already the Jews are a political power, especially in New York. And the Jews use political power to put Jews in office. The separate existence and aloofness of the race is carried into politics. The general American principle of dividing into parties to represent general principles and policies does not pertain. Race is uppermost; supremacy in finance and business and government. In 1911, at the instance of the Jews, Congress terminated a treaty with Russia which had existed nearly eighty years and it was not done in a very nice way either. It shows that the Jews are not backward in using their political power. History is often repeated and yet the Jew, notwithstanding his experience in the past, is as obstinate, self-centered, and grasping as in the Middle Ages. In human society he whose practices are bad is driven out in some way or other. Always and everywhere the clannishness and aloofness of the Jews separate them from the American people. Ultimately as their wealth, power, and numbers increase and as they pursue the onward march to power they will be a proscribed race. Zangwill wrote:

"The notion that the few millions of people in America have a moral right to exclude others is monstrous. Exclusiveness may have some justification in countries, especially when old and well-populated; but for continents like the United States — or for the matter of that for Canada and Australia — to mistake themselves for countries is an intolerable injustice to the rest of the human race."[1] A Jewish writer says: "The idea that the predominating stock of the inhabitants of the United States is Anglo-Saxon is a myth. The composite American is a multiform hyphenate: Scotch-Irish-English-German-Spanish-Polish-Jewish-Italian-Russian, etc., etc. . . . To conceive of America as belonging exclusively to one race, because priority of habitation has given it a divine right to possession of the land, is a notion contrary to democracy."[2] Indeed! The Jew is getting on. His assurance is colossal. This country has been, is, and will continue to be Anglo-Saxon.[3] In the language of a member of Parliament to the minority in 1809, as quoted by Emerson, "If you do not like the country, damn you, you can leave it."[4] Their impudence and offensive aggressiveness when they have power is equaled only by their humility when they have no power. It reminds one of what Queen Elizabeth said to one of her Bishops who was insubordinate; "Proud Prelate, I made you and unless you mend your ways, by God I will unfrock you." Under free immigration laws New York might easily become a new Jerusalem. Other *blocs* break up; the Jewish *bloc* never. The danger from the Jews, however, has been exaggerated, because they are confined mostly to four cities and their activities are limited by their unpopularity.

The Jews are here and must expect to be judged. Where will they stand as to the Constitution and American institutions? The facts given above show their characteristics. They are not hostile; neither are they attached. They place race above all things but money and will oppose anything that interferes with their march to power. If this is true, it is not encouraging.

The Jewish race is not constructive. In fact the whole Semitic race has never had talent for political or military organization on a large scale. Even Hannibal failed by reason of dissensions in Carthage. The race has lacked consistency and power to act on a definite political principle. It has had no tradition of law and capacity for forming an organized polity and a state. On the contrary, an outstanding characteristic of the Semites always and everywhere has been that they quarrel among themselves. And there are other characteristics which will limit their power in America. History tells their story. Assyria (1300–606 B.C.), Carthage (850–146 B.C.), the Hebrew (about 2000–54 B.C.), and the Arabian or the Saracen (630–1492 A.D.), all Semitic, all give a record of misuse of power, greed, domineering, faction, and collapse. While we remember that Christ was Semitic with a sublime nature and sublime teachings, yet we know that he was utterly repudiated by the Semitic races. The fact is that the Semitic races do not believe in Christ's theory of life. They are aggressive and disputatious to the last degree and when in control are tyrannical and not fitted to rule.[1] The history of the Semitic races explains much that otherwise is baffling in America. That history shows that they are naturally different from the Anglo-Saxon. The Jews in America from Russia, Poland, and elsewhere are certainly trouble-makers, turbulent, aggressive, and quarrelsome. Intellectually active in their own behalf they push their way into every department of life and impudently assert themselves. Opposition is met by offensive attack, secret and open. When it is proposed that the Christian religion be recognized in public documents the Rabbis appear and violently object. When judges are to be nominated the Jews demand the nomination of a Jew. They do not trust each other but they unite in establishing Jewry and the power and domination of Jewry. Quick to subside when the chances are against them, they arrogantly assert themselves when they have votes enough to make a formidable *bloc*. These characteristics

explain the American prejudice against them and explain to the Jews themselves wherein they will have to change or break.

Bogardus says, "The Jew in America is what 'centuries of persecution and oppression' have made him. Though generally defeated, he keeps on silently and defenselessly. He rarely turns back. Though generally suffering, he keeps on steadfastly. Though vanquished from time to time, he gathers up his scattered forces and pushes on. Though defeated again and again, he has had the unique distinction of seeing his conquerors, proud kingdoms, and mighty empires, crumble into humble dust. He ever rises with 'eternal suffering' and 'untiring patience' to confront his contemporaries with his hitherto insoluble problems." [1]

This is a "wailing of infinite pity," but America is not the cause of it and the problem before us is: how to preserve American institutions.

All of the great religions of the world originated in the East.[2] Professor McDougall says: "The Semites have produced great religious teachers and little else, and have given to the world its three great monotheistic religions." [3] Europe has "produced no great world religion; the God of Abraham is, today, the God of the Christian, of the Jew, and of the Moslem." [4] And yet, as Gooch says, "The notion firmly held by our fathers that Israel was one of the oldest of civilizations and formed a world by itself has vanished into thin air; for an older and vaster civilization has been discovered to which she owed not only her science but the larger part of her religion. The dimension of the debt to Babylonia has been and continues to be fiercely argued by conservative and radical critics; but its recognition has sufficed to revolutionize the study of early Israel and to provide a new background for the religious history of the world." [5] Gooch might have added that the New Testament also owes much to Indian religions and Greek Stoicism. Nearly all religions have deified their founders and overlaid the principles of religion with myths and miracles. Both Alexander the Great and Augustus

Cæsar found it necessary or expedient that they be gods to the oriental nations to satisfy the oriental mind. Christianity deified Christ and believed in miracles. The Jew, however, worships but one God — the one God of the Old Testament, and the cry of his Arabian neighbor, the Mohammedan, is "There is but one God and Mahomet is his prophet." The strength of the Mohammedans and also of the Jews has been in this belief, "There is but one God." They have had no other gods to topple and thus to undermine the religion of the people. Every sane man believes that there is some First Cause of the universe. Call it God if you will. All other gods are false gods. Some belief is necessary and a people without reverence are without ethics and perish. Science and scholarship and intelligence are fast eliminating deification of men, miracles, and myths. When that is done, the Old and New Testaments will stand forth as the finest and purest religion ever formulated by man. And that religion will be Hebraic in its origin. It will go farther in reconciling Jew and Gentile than all other influences combined. When the Jew drops his idea of The Chosen People and the Messiah and the Promised Land and the myths of the Old Testament and the Talmud, and accepts Christ as a great ethical teacher; when the Jew realizes that though skillful in finance he is inferior in real intellectual pursuits; when Christianity drops its myths and miracles and deification of Christ; when the main principles of Roman Stoicism, not already incorporated in the New Testament, are accepted by the masses, as they already are accepted by the intellectual classes; then this Jewish problem will solve itself by the Jews ceasing to be a separate and disliked race.[1] Education will be the dissolvent.[2] Jefferson found the world full of superstitions and he fought against them and all New England reviled him, but he was right.

We may not like the manners; we may not like the methods of the Jews, but they are here to stay. We can prevent others from coming but cannot drive out those now here, and we may

rest assured they will not leave voluntarily. Probably our present unconscious policy is the best, namely, to make it so uncomfortable for them that they will amalgamate and cease to be a separate race. America has the best wishes for Palestine as a home for the Jews but has little faith. Palestine can support but few of the sixteen million Jews, and Palestine is already largely occupied by Arabs who are determined not to move out. In 1922 Palestine had 757,000 people, of whom about 500,000 were Arabs, and there are now in Palestine only about 100,000 Jews, being less than 1% of all the Jews in the world.[1]

For two thousand years the world has been trying to fathom the Jewish nature and has not succeeded very well. Montifiore, the eminent Jewish writer, has recently written: "The Jews will no longer act even as intermediaries in philosophy or science. They will not influence Law or Scholarship, as they may have influenced it in the past. Individual Jews may, and doubtless will, play their part, and rise to eminence, but it is not as Jews that they will do so. Their Jewish religion or Jewish birth will be an accident. . . . When and where there is free intercourse between Jew and Gentile, when and where artificial barriers are broken down, and when and where unfettered interchange of thought and discussion is the rule, Judaism may exercise a more direct influence upon the world's religious future than it has done in the last sixteen hundred years. It is, for those who hold this view, an article of faith that their form of Theism, together with their conception of the relation of morality to religion and to God, has in it elements of value and of truth which will ultimately prevail, or which, at any rate, in various modes and forms and embodiments, will be more and more widely accepted by mankind." [2]

CHAPTER XV

THE NEGRO

THE general rule is that there are but three solutions of two races living with each other: annihilation, emigration, or amalgamation.[1]

The first is out of the question in a civilized nation, except by natural dying out, and such may happen with the negro, and yet Professor Reuter points out that the negroes have increased about as fast proportionately as the whites (exclusive of white immigration) and that the present proportion will probably continue.[2]

Emigration is at present impracticable, unless forced, and the need of laborers prevents that.

Amalgamation is unalterably opposed by all whites.

Munsterberg says: "History has repeatedly shown how impossible it is for a people numbering millions, with limited rights, to dwell in the midst of an entirely free race. Oppression and injustice constantly arise from the limitation of rights, and thence grow retaliation and crime."[3] Professor Coolidge of Harvard writes, "In the South, at the present time, the relations between the two races are, to say the least, very unsatisfactory, — worse, perhaps, than they were twenty years ago. Among the negroes, there exists a sullen resentment at the loss of their political rights, as well as the increasing tendency to segregate them in the public conveyances and, in general, to impress upon them unmistakably that they belong to a lower order of mankind. Among the whites, the fear of negro rule has grown into a perfect frenzy of wrath against whatever appears like an assertion on the part of the colored population of political or social equality. Even

their education is regarded with a suspicion that reminds one of the days of slavery; and the situation with regard to lynching is terrible." [1]

The negro without intent has had a profound influence on the history of this country. He created King Cotton and caused the Civil War. He has created a "solid South." He is not fitted to vote and is practically disfranchised, bringing reproach on American institutions. He is not and should not be allowed to assimilate but he produces the mulatto, most dangerous of all. The American people are beginning to understand the problem and ultimately will deal with the negroes the same as with the Indians — segregate them here or elsewhere. They have caused trouble enough and American institutions are more important than sentiment.[2] "To the South, the negro question," says Thomas Nelson Page, "has been for nearly forty years the chief public question, overshadowing all others and withdrawing her from due participation in the direction and benefit of the national government. It has kept alive sectional feeling; has inflamed partisanship; distorted party politics; barred complete reconciliation; cost hundreds of millions of money and hundreds, if not thousands, of lives, and stands ever ready like Banquo's ghost to burst forth even at the feast." [3] George Haven Putnam, an officer in the Northern army in the Civil War, has written: "It was not sufficient that the colored person should be protected in legal freedom. It was believed by the legislators of 1865 that this freedom could be practically assured only if the colored person could be assured of all the rights of citizenship. History has made clear that the legislators of 1865 were in error in their action in this matter. It was important to save the negro from falling again into servitude, and it was essential that he should be assured of full justice under the law. The granting of citizenship, however, to uneducated and ignorant people constituted a demoralizing influence upon the negroes on the one hand and upon the whites on the other, and brought about on the part of the South-

erners various arbitrary, illegal, and persecuting methods adopted in order to prevent the exercise of the vote on the part of the negroes." [1]

Professor East of Harvard says that tests of the mentality of American soldiers during the late war showed that 49 per cent of the negroes tested could not make satisfactory common soldiers, while of the whites only 7 per cent were of that character, and that the Southern negro was about half as intelligent as the Northern negro.[2]

The presence of the negro in America is one of the most perplexing problems of the Republic. Politically he has a vote; practically none. In fact, the giving of political control to the negro was absurd and calamitous. The South fears what the North may do and so the South usually votes as a unit in elections, instead of dividing on economic, political, and social issues. Negro crimes are punished by white outrages in the way of lynch law, and this lynch law is not confined to cases of rape either. Centuries do not seem to change the essentially negro characteristics. The situation is a reproach to the nation, a menace to the Republic, an impassable class barrier, an injury to the character of the Southern white himself. The South thinks it cannot part with the negro, because he does the field work, and Northern labor will not work with him. Foreign immigration of white labor to the South is no remedy, because immigration generally is now almost forbidden by act of Congress and, in fact, has never been to the South since the colonial times. In the North by reason of the cold climate the negro does not thrive and he is proportionately small in numbers, but even so, race riots occur when he displaces much white labor. The French West Indies show how quickly the colored race displaces the white race in tropical regions when natural forces are allowed to operate. There is no danger of that in America, but it shows what would take place in the South if the white race became enfeebled or gradually withdrew. Manufacturing in the South

is growing rapidly and will change the situation, the negro being a poor factory hand. This may be the opening wedge for a new social and industrial reorganization, eliminating the negro. The "Solid South" is due to the instinctive and practical conviction of the South that social equality of the negro with the white will drag down the white by intermarriage. And the South is right. So long as that danger exists the South should place that above all other issues. Gideon Welles says that at a Cabinet meeting in 1862 President Lincoln "Thought it essential to provide an asylum for a race which we had emancipated, but which could never be recognized or admitted to be our equals." He says the President "wished to send the negroes out of the country," but not by "compulsion. Their emigration must be voluntary and without expense to themselves." [1]

The United States Census for 1920 reveals some remarkable facts about the negro. There were then about ten and a half millions of them. During the preceding 10 years the number of negro children under 5 years actually decreased, both in the South and in the whole country. In the North the births of all negroes were less than the deaths.[2] In 1920 over one-third of the negroes in the whole country were urban. In 1910 the percentage of negroes to whites was 10.7; in 1920 it had declined to 9.9. In the South is found 85 per cent of the negroes as against 89 per cent in 1910, before the demand for unskilled labor in the North, due to the war and restricted immigration, drew the negro to Northern cities. But Professor Holmes says: "Although there may be certain economic and educational advantages in coming North, it may be said as a general fact that when the Negro race goes North it goes to its destruction" [3] by unfavorable climatic conditions. The general increase of the negro from 1910 to 1920 was less than for any other decade since 1800. The total negro population of the United States increased only 635,368 between 1910 and 1920, as compared with 993,769 between 1900 and 1910.[4]

These figures are reassuring. But there is the *mulatto* and the mooted point that nature revolts at the mixture of two races of widely different origin and characteristics. Professor Gregory of the University of Glasgow quotes Professor Shaler of Harvard as saying, "It is not only a general belief that hybrids of blacks and whites are less prolific and more liable to diseases than the pure bloods of either stock, but also that they seldom live so long. Statistics lacking on this point, I have questioned a large number of physicians well placed for judgment in this matter. All of them agree that the offspring of a union between pure black and white parents is, on the average, much shorter lived and much less fertile than the race of either parent." [1] In another book Professor Shaler says of the mixture of whites and blacks, "It is, indeed, very undesirable that the two peoples should ever be linked by marriage, for the offsprings of such marriages are almost always weak and short-lived. Whenever they have formed a mixed race, it has proved much less good than either of the parent stocks." [2] Le Bon says, "Cross-breeding may be a source of improvement when it occurs between superior and sufficiently allied races, such as the English and the Germans of America, but it always constitutes an element of degeneration when the races, even though superior, are too different." [3] Reuter says, "Psychologically the mulatto is an unstable type." [4] Professor East says that the real negro problem is that of the mulatto (of which there were 2,000,000 in 1910) because the real negro cannot compete with the whites and would disappear in the growing economic pressure.[5] The mulatto is the chief danger of the problem. He is only twenty per cent of the negro population, but he produces eighty-five per cent of the noteworthy men.[6] He is more numerous proportionately in the North than in the South. His ambition has been to amalgamate with the whites, but his present tendency, in the South at least, is to lead the blacks. His existence is a fearful commentary on white male morality,[7] but he is here and has to be dealt with.

He shows more sympathy for the full blacks in the South than in the North. His intellectual capacity is far superior to that of the full black, but he is not always willing to accept his born status in life. Reuter is probably right when he says, "The mulattoes are thus the vital point in the whole race problem. It is their ideas, their sentiments, and their attitudes, in so far as they identify themselves with the race, that tend to prevail. The fact needs to be recognized in any dealing with the race, or in any efforts for race betterment." [1] Thousands of mulattoes with a white skin are today passing for full whites and marrying white people. It drags down the white race. Professor East says: "In these mixed-bloods, for whom we might as well accept the term mulatto, segregation and recombination of the traits of the two races is a continuous process. . . . In fact, a considerable number of mulattoes now pass as white, and this number will increase materially in the future. We have gone a long way already towards the absorption of the negro germ-plasm, and this amalgamation will probably continue at an increasing rate." [2]

Ultimately emigration is likely to occur, especially to Cuba, Porto Rico, Central America, and Mexico, where a large per cent of the population is mixed Negro, Indian, and Spanish blood.* Then there are the Hawaiian Islands where Chinese and Japanese at present furnish much of the labor. The Filipinos object strenuously to anything of this kind, the Malay race being radically different from the African.[3] The day may come when some powerful character, like Lucullus, will extend the boundaries of the United States southward and by the inducement of "forty acres and a mule" cause the negroes to go there and live their own life under a protectorate.

The sixteen Southern States produce about half of the total agricultural products of America and the South is developing faster than any other part of the country. This is likely to

* As to Mexico see p. 603, *infra*.

draw whites from the North, and, if the climate allows, there may hereafter be no necessity for negro labor. White men have worked in latitude 30 to 40 and can do so again in the Southern States. As Bryce says, "those who have studied, in the light of modern science, the physical conditions of Virginia and the country south and southwest of it, tell us that nearly all the area of the States in which slavery existed seventy years ago, all, in fact, except the hottest and dampest regions along the coast, could be cultivated by the labour of white men." [1] "If our idealism is great enough," Burr writes, "we can transport millions of blacks abroad, colonize them in self-supporting communities under United States jurisdiction; and have wealth and resources to spare. As a matter of fact, we could make such a scheme self-supporting by utilizing the labor of the Negroes to improve regions with vast resources still untouched. The scheme is not visionary if the nation is big enough to carry through a settled policy which might be fulfilled only after many years of self-abnegation, but whose final results would be as great a benefit to future generations as reforestation or any system of conservation of our national resources." [2] As stated above, Lincoln favored some such plan at the outbreak of the Civil War, but the war developed too rapidly for its serious consideration.[3] Professor McDougall says: "It would be premature to attempt to indicate the details of such a policy. We need only define its main lines. It must provide an ample territory (or territories) wide enough and rich enough to support a people of at least fifteen or twenty millions. The territory must be suited by climate and natural resources to the needs of the Afro-Americans. There such conditions, social, political, and economic, must be created that the territory will strongly attract the colored people of America. They must be encouraged, aided, and supported, by all the resources of White America, to seize the opportunity to build up a Negro civilization in the territory assigned to them. And, though at first they must be guided and protected by the

American Government, they must be assured of complete independence when and if they shall demand it with an authentic voice. It would be premature to discuss the rival advantages of possible territories. Such a territory might be set aside in the southern part of the United States. It might be purchased in Africa. What better way could be found of expending the sums due to America as war debts? Or it might be the largest island of the world, New Guinea, a land of great fertility, at present quite undeveloped and very thinly occupied only by a few scattered and savage branches of the Negro race." [1] Professor Fleming of Louisiana says: "The negro and the Southern white, each in a way, favor colonization. Some negroes would be glad to go if they were sure of doing as well in Africa as in the United States, while every white man would be glad to have the entire black race deported — except his own laborers. Any organized emigration scheme invariably meets more or less forcible resistance from the employers of black labor." [2]

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CHAPTER XVI

THE ITALIAN

From 1840 to 1920 — 80 years — the Italian immigration was 4,196,992. Many went back. During the 10 years from 1900 to 1910 the immigration was four times as many as were here in 1900. In 1917 it was estimated that there were 3,500,000 in the country, children included. In 1920 Italian was the mother tongue of 3,365,864 in this country, as compared with 2,135,393 in 1910. At present we have about 3,200,000 Italians.

Only about one-fifth of these Italians are from northern Italy. They are more intelligent, have more organizing ability, and yet are more sordid, cynical, socialistic, intemperate, and dictatorial than the southern Italian. Professor Bogardus, however, says: "The North Italian is more advanced than the South Italian and Sicilian. In proportion to his number, illiteracy is one-third as large, his school attendance is twice as great, he employs twice as many teachers and librarians, he publishes five times as many books, and buys one-half as many lottery tickets as his Southern neighbors. He earns higher wages, acquires citizenship sooner, is less turbulent, less criminally inclined, less transient than the South Italian and Sicilian immigrant." [1]

The southern Italians, including those from Sicily, are hard working, temperate, physically strong, tractable, but with the vices as well as virtues of a rude, uncivilized people. Many of them come to earn a little money and then go back. They are very ignorant and withdraw their children from school as soon as the law allows and put them to work. Four-fifths of them live in the cities where manufacturing is carried on. Many

are in the mines. The males greatly outnumber the females, 92 per cent in Massachusetts in 1904 being males. They compete with the Jews in the manufacturing of clothing and have driven out the Irishman as day laborers on the railroads and in street cleaning, street building, and as longshoremen. Few engage in agriculture except truck gardening. They are inclined to intermarry, especially with Jews and the Irish. Dean Inge quotes Professor McBride as follows: "The Iberian or Mediterranean race is now found relatively pure in the South and West of Ireland, in Portugal, in Southern Italy, and in Egypt. Everywhere it exhibits the same characteristics — a fiery temper quick to take offence and to revenge an insult real or fancied; an utter absence of scruple in the weapons chosen to attack an enemy, assassination being preferred to open combat; a tendency to form secret societies and conspiracies; an utter disregard of truth, and an incapacity for perseverance in work." The Dean also quotes from Lothrop Stoddard, "The influx of such lower elements into civilised societies is an unmitigated disaster. It upsets living standards, socially sterilises the higher native stocks, and if interbreeding occurs, the racial foundations of civilization are undermined, and the mongrelized population sinks to a lower plane." [1] While the great mass of Italians born here are industrious and reliable, yet of the 1200 inmates of the New York state prison at Auburn it is said that from 300 to 450 are of Italian stock. They are beginning to organize in politics and demand "recognition," very much to the disadvantage of good government. They take to labor unions and the strike.

The upper classes, the professional men, the artists, and the skilled workers of Italy do not often come to the United States. They prefer to go to Argentina or Brazil, where the Spanish race, language, and civilization are found. Foerster says, "The physicians, lawyers, teachers, actors, priests, and their kin have had to contemplate taking one of two courses. Either they must settle in some 'Little Italy' or in an isolated cluster of Italians

anywhere, or they must sink into unskilled work. Let such persons avoid this country, an Italian consul-general at New York recommended a quarter century ago. 'Hardly have they landed when they discover that America is not for them. Wanting knowledge of the language, and every other resource, they come to the consulate to ask succor in repatriation. How many think themselves lucky if they can find employment as waiters on board a vessel bound for Italy!' A colony must have attained a certain size and stability before it can maintain a priest. Teachers may find posts in parochial schools. Doctors, when they have duly passed examinations or had their diplomas validated, can still only secure a patronage among their compatriots. On the other hand, where the demand is meager, the supply may also be meager. Among a thousand Italians in Richmond in 1909 there was said to be not one professional person."[1] Garis says, "There are two kinds of emigration from Italy, almost as entirely distinct from each other as the emigration from two separate nations. The north Italian is an educated, skilled artisan, coming from a manufacturing section and largely from the cities. He is Teutonic in blood and appearance. The South Italian is virtually an illiterate peasant from the great landed estates, with wages less than one-third that of his northern compatriot. The North Italians have not come to the United States in any considerable numbers. They have gone to Argentina, Uruguay, and Brazil in about the same numbers as the South Italians have come to us." As to the South Italians, Garis quotes Commons who says they "are nearly the most illiterate of all immigrants at the present time, the most subservient to superiors, the lowest in their standards of living and at the same time the most industrious and thrifty of all common laborers."[2]

Some one in America must do the hard, repelling physical toil of the mines, the railroads, the ditch, the streets, and elsewhere. These Italians do that, but can hardly be called desirable citizens

so far as the future of the American Republic is concerned. It will be generations before the Sicilian and southern Italian acquire the instincts essential to self-government. Italy was fast retrograding towards anarchy when Mussolini seized control and stopped it. Like the Russian peasants the great mass of Italians require long years of severe government to qualify them for self-government. Italy exports labor very much as she exports merchandise. The emigrant is encouraged by the government to go, but is expected to send back his wages and ultimately to come back himself with his savings. There is some selection for that purpose. Unfortunately he does not always go back.[1] In 1915 about 22% of the children born in Connecticut had an Italian father.* Meantime they remain a hopeless mass in their relations to American institutions.

* See pp. 565, 567, *infra*.

CHAPTER XVII

THE RUSSIAN

FROM 1840 to 1920 — a period of 80 years — 3,437,121 so-called Russians came to this country. The great majority of these were Russian Jews, who are not real Russians. In fact, some authorities say that less than ten per cent, others less than five per cent, of our so-called Russian population is real Russian. The Russian Jews come mostly from the "Jewish Pale of Settlement" in western Russia. In 1920 there were still here 1,334,021 whose mother tongue was Russian, Lithuanian, and Finnish. Eighty-six per cent of the immigrants were men. This shows that the vast mass that came here during eighty years has not increased, but on the contrary has decreased one-half. The half that is left is largely these Russian Jews. They are a large part of the 3,320,000 Jews in this country.

The Russians who have come here include Ruthenians, who are employed in the lowest kind of work in the mines and factories of America. These are physically strong because they come from Russian farms, but they are ignorant and poverty stricken to the last degree and always have been so. Practically none of them understand Americans or American institutions, and it would be expecting too much to expect them to have the slightest conception of American political institutions. Few of them become naturalized, and it is said that practically all hope to return to Russia where the environment suits their habits and inclinations. They are not necessarily Bolsheviki, but their isolated position in the United States renders them easily hostile to all government, on the theory that all government is oppressive and any change would improve their condition. They do not and never will

cut any figure in America, except as hewers of wood and drawers of water, and except as food for agitators. Ninety per cent of the Russians work in the mines and industries.

Strange to say, Russia and America have always been close friends, though the former has always been a despotism, the latter a republic. Catherine of Russia refused to assist George III to put down the American Revolution. When England favored the South in the Civil War of 1861, Russia favored the North. Two Russian fleets suddenly appearing, one in New York harbor, the other in San Francisco, and remaining a summer and winter during that war, were significant and eloquent in its effect on England and France, who were thinking of recognizing the South as an independent nation and then intervening. Schlesinger, professor of history at Harvard, says, "At a critical time in the war (September, 1863) one Russian fleet visited New York and another San Francisco, with sealed instructions to place themselves at the service of the United States in case of foreign intervention." [1] Adams says that at that time in England "at least four out of five of the ministry and members of Parliament, and almost the entire court circle, were strong sympathizers with the Confederacy." [2] In 1867 Russia sold the whole of Alaska to America for $7,200,000 — a nominal price.[3] A few years ago America fed the starving millions of Russia but without recognizing its Bolshevik government. It is the traditional policy of both governments to remember the friendly past and continue it in the future.

But there can be no substantial mingling of the two races. The differences are too great. The Russian does not and never will be a part of the composite American, but this is no reason why the two great nations should not draw together again, especially as now both tolerate no privileged classes, although differing fundamentally as to how sovereignty shall be exercised. The present Russian government continues because the peasants fear their land will be retaken by the former owners and the peasants

themselves again reduced to practical servitude. The peasants are not yet fitted for self-government. Time alone can train them for a republic. Bolsheviki rule is maturing them, just as the feudal system civilized, chastened, and molded the barbarous tribes of the Middle Ages. Better so than the despotic, repressive, and reactionary rule of the Czar and the Grand Dukes. Russia will emerge with a better government based on a more intelligent people.

Fortunately the Russian in America looks homeward and finds little that is congenial in this country. He will return to Russia. Meantime Bolshevikism has been of incalculable benefit to America. It has rendered the red flag innocuous. The ruin and desolation of Russia today is the death blow to socialism in America. We can now work out gradually, legally, and intelligently, the difficult problem of how to preserve American institutions.

CHAPTER XVIII

THE POLE

NEARLY two and a half millions of those whose mother tongue is Polish are among us, including those of mixed parentage, according to the census of 1920. Over a million of these were born in Poland. A very large proportion of them are Jews — how many the census does not disclose. Fox said in 1920 that 95 per cent of the immigration at that time from Poland was Jewish.[1] The pure Poles in America are scattered. Formerly they took to farming; now they are found more often in the mines and metal manufacturing cities. As Orth says, they are very clannish and "The recent Polish immigrant is very circumscribed in his mental horizon, clings tenaciously to his language, which he hears exclusively in his home and his church, his lodge, and his saloon, and is unresponsive to his American environment. Not until the second and third generation is reached does the spirit of American democracy make headway against his lethal stolidity." [2]

Of course the Pole does not understand American institutions. He understands freedom of opportunity, however, very well and knows that in some way or other American institutions protect him in his liberty and religion, which is nearly always Catholic. The Pole is generally peaceful, law abiding, and industrious. He comes from an oppressed race, but under all its repression there was always a spirit of nationality and hope. The American Pole has little intention of going back to Poland. He does not rise to intellectual heights and leadership and is a very doubtful asset, except industrially. Professors Park and Miller say: "The Polish immigrant is arrested within his community. He shows

little tendency to participate in American life and institutions, is hardly ever seen in our colleges and universities, shows notably little public spirit, remains on a relatively low level of efficiency, and contributes heavily through crime and poverty to the burden of the American state." [1]

The Poles who have come here have respect for government. Their sons have not much respect for anything. This is not peculiar to them but it is true also of certain other races. The Polish children in the cities are very difficult. If anything displeases them, it is the fault of the country; never their fault. Their ethics are apt to be no ethics. They require a strong hand. They don't care to learn about American institutions. Their sole idea is to get as much as possible and do as little as possible.

The lower strata of Poles in the great cities are not good citizens. Altogether, the Polish contingent is of very doubtful value, so far as American institutions are concerned.

PART III

OTHER FORCES AFFECTING AMERICAN INSTITUTIONS

CHAPTER XIX

WEALTH

THOUGH wealth accumulates, men do not necessarily decay. The familiar lines from Goldsmith's "Deserted Village" are:

> "Ill fares the land, to hastening ills a prey,
> Where wealth accumulates, and men decay."[1]

That was written in 1770 when George III, crazy part of the time, and half crazy all of the time, a worthless aristocracy, and a greedy manufacturing class were driving America to the Revolution of 1776. It was a rotten century, begun with Walpole's long rule by open and notorious bribery; bribery of the voters; bribery of members of Parliament. In France things were still worse, and finally the eighteenth century blew up in the French Revolution. In Goldsmith's time it did look as though man was but a money box, and certainly England had grown very rich. But it turned out not so. The Napoleonic wars showed that the blood of Crécy and Agincourt and Drake and Hawkins still flowed in the veins of Englishmen. And a century later all doubts on this subject were dispelled by the World War of 1914.

In America much the same way. In 1860 Europe looked on Americans as shopkeepers and not men, but even Carlyle was finally convinced to the contrary. Later in the World War the

valor and intrepidity of the American troops demonstrated that the wealthiest nation in the world could produce men equal to the Spartans of old.

Wealth did demoralize Rome, but the Romans were a rude, rustic people, with no use for wealth, except to spend it in display and luxury. Rome was not commercial nor industrial.[1] It was a military nation and little else. As Bigland wrote over a hundred years ago, "They despised commerce and the arts as the occupations of slaves, and regarded the exercise of them as disgraceful to freemen." Agriculture and war were their pursuits.[2] Its literature and civilization, such as they were, were largely copied from Greece. Rome had a genius for governing, for creating political institutions and laws. Their great generals were usually masters of the civil law and Roman laws followed its conquering legions. Rome originated that wonderful industrial agent, the corporation, but missed its vital spark of limited liability of stockholders. Rome was too raw to get good from sudden wealth and so spent it in barbaric ways. The Roman at his best had a wonderful character of simplicity, devotion to duty, calm endurance, and persistence, but he was a conqueror and law giver and not creative in other ways. The Gracchi tried to restore the old Roman life and were killed; Tiberius tried to restore the austere Roman habits and was hated.

In America there is little danger that wealth will enervate the people so long as the number of farmers continues. The danger is that in the hands of ambitious men wealth may be misused and lead to confiscation and conflict. In other words, the danger is that wealth will give its representatives too much vigor instead of too little; will strengthen privilege rather than preserve democracy. Safety lies in its distribution. But in this country it is still the general rule — four generations from shirt sleeves to shirt sleeves. The usefulness of children of the rich is in redistributing their wealth and paying taxes.

But in the hands of unscrupulous and crafty men enormous

wealth is undoubtedly a menace to republican institutions. Wealthy men will not always be content to be excluded from political positions by the instinct of voters. And wealth has its own way of influencing legislatures and public officials. Especially does it have a terrible resisting power against socialistic legislation.

The problem of the distribution of wealth is the problem of the ages because nature favors the strong and intelligent. It is a problem in America today. The vast natural resources of the country, the inventive genius of the people in increasing and cheapening production, and the habits of incessant and intense work have made America the richest and most powerful of nations. But population always tends to increase faster than production. There is still enough to go round, but concentration of wealth is a natural process and is taking place in America. The conflict between the have nots with the haves is not yet acute, nor is the institution of private property in danger, nor freedom of contract, but both are being profoundly modified by the regulating power of the state. This regulation, with inheritance taxes and distribution of estates equally among children, and the tendency of inherited wealth to distribute itself by incompetence and recklessness, breaks up most American fortunes and may solve the problem of distribution of wealth. "A great revolution," Professor Munro of Harvard says, "has been going on in the United States since the outbreak of the World War; yet few observers have thus noted its far-reaching significance. It involves nothing less than the gradual disappearance of what we sometimes call the *proletariat*, the masses of workers who barely earn enough to support themselves and have nothing laid by for a rainy day. There is a proletariat in every European country; in most of these countries it has comprised, and still comprises, the majority of the population. One result of the World War, in these European countries, has been to reduce the size of the middle class, so called, and to increase both the rich,

on the one hand, and the proletariat on the other. In America the drift is wholly in another direction. Both the rich and the middle class have greatly increased during the past ten years, while the proletariat, in the European sense of the term, is steadily disappearing. There are three reasons for this change which has all the essentials of a great economic revolution. Industrial prosperity, national prohibition, and the restriction of immigration are the things which mainly account for it." [1] But will it last? Perhaps the real cause of America's prolonged prosperity is the saving of labor by machines, the reducing of waste, and the specialization of labor. All this reduces costs, increases output, and reduces selling prices. This leads to increased consumption, because most people spend what they get and buy more when goods are cheap. Instalment-buying and love of display and a higher standard of living keep the ball rolling but it cannot roll forever. Already several basic industries languish and labor faces lower wages. Both production and consumption have gone too far, and when consumption decreases it decreases production. A readjustment is necessary with less spending, less consumption, less wages, and more saving.

Concentrated wealth, in its influence on republican institutions, has an antidote in the farming class and the laboring class. No class is allowed to dominate this country. Thirty years ago capital and the railroads thought they could do as they pleased, but found that they could not. Congress and the courts put them back where they belonged. In the same way when the farmers started practically to confiscate the railroads by "Granger Laws," constitutional law declared such laws illegal. And when labor unions in recent years attempted to dominate and dictate, public sentiment put them down. So also when communism raised its head it was decapitated. Concentrated wealth may lead to civil discord or to absorption of Central and South America, or to a more centralized government, and in this way imperil republican institutions, but it will not consciously or

directly attack those institutions. The rich as well as the poor in America stand solidly back of the republic.

Yet the enervating effect of wealth, especially of inherited wealth, cannot be denied. The restraining and elevating influence of character will be emphatically needed to offset the perilous effects of our industrial success. America is likely to have more liquid wealth than all the rest of the world combined.[1] It is somewhat appalling to think of the dangers incident to such power, population, and capital. The strain may be too great for republican institutions. The only hope is in the character of the better part of the people. If that part declines, the end is near. If it improves, it will continue to make America an instrument for the culture and upbuilding of the race, and for demonstrating that the richest and most powerful nation that ever existed is capable of governing itself. Professor Wertenbaker says: "Sooner or later social distinctions disappear when they have no foundation in economic conditions."[2] True, but a civilization based solely on economics produces castes, the very rich and the very poor, luxury, degeneration, then chaos, then Caesarism.

This country has property worth over three hundred billions of dollars * — but wealth beyond giving living conditions and opportunities for a higher life may be demoralizing. It is apt to lead to greed for exploitation of other countries in Central and South America, to a craving for idle amusement and the excitements of city life. It certainly does not lead to the austere life. Nor is it conducive to the perpetuity of republican institutions. On the other hand, its very abundance may lessen its attraction as an object in itself. It certainly does not give the distinction now that it gave fifty years ago. A new kind of career is opening for young men — a career devoted to public interests, not necessarily office holding but leading to the good of the public. That kind of leadership means that the mission

* As explained on page 135, *supra*, this value is largely due to an inflated currency.

of America will be continued, namely, that a great people in a greatly diversified country is capable of governing itself. The whole civilized world at present is adopting that principle demonstrated by America.

The chief danger from wealth is its effort to control the government in order to increase wealth itself or to protect itself. The railroads for a long time controlled state governments, especially the legislatures, to get franchises and prevent reductions of rates. Street railways, gas companies, and telephone companies have at times spent great sums of money for similar purposes. Manufacturers have paid for high tariff laws; insurance companies to stop hostile legislation; trusts to raise prices. But all this is temporary and most of it has passed away. "The invisible government," as Senator Beveridge calls it, has had its day. It still exists but is not the menace to American institutions that it was. Nevertheless what Bryce says is true that "as the Love of Money is the root of all evil, so the Power of Money is for popular governments the most constant source of danger, worse than ignorance, worse than apathy, worse than faction, worse than demagogism. This is because it is so multiform, so insidious, so hard to detect, so quick to spread." [1]

This subject of wealth and of the idle rich, the working rich and the corporation, is considered further later.*

* See Chapter XXXI, *infra*.

CHAPTER XX

"TRUSTS"

CAPITAL in land is conservative; capital in banks and investments, ultra-conservative; capital in manufacture and trade militant. Competition in manufacture tends to efficiency and low prices, but it also tends to ruinous prices and bad practices, especially in discriminations and rebates in transportation. The irresistible tendency of manufacture, the same as with railroads and other public service corporations, is towards consolidation and the elimination of competition. The instincts and convictions of the people, however, are against monopoly, and in America at least legislatures and courts have tried to prevent it. But manufacturing on a large scale, called "mass" manufacture, is so cheap and profitable, especially where competition is eliminated, that it is as irresistible as the tides. It cannot be prevented. It leads to consolidations and vast aggregations of capital. It has produced a new type of civilization, a civilization of material comforts. It has produced a new type of men — captains of industry. It has also produced a new problem for the Republic, namely, Can its influence on the government be controlled? It is well to refer briefly to the history of the "trusts."

The word "monopoly" first meant an exclusive privilege granted by the Crown. The word "trust," as applied to combinations, was first used to mean an agreement, between many stockholders in many corporations, to place all their stock in the hands of trustees and to receive therefor trust certificates from the trustees. The stockholders thereby consolidated their interests and became trust certificate holders. The trustees owned the stock, voted it, elected the officers of the various cor-

porations, controlled the business, received all the dividends on the stock, and used these dividends to pay dividends on the trust certificates. The trustees were periodically elected by the trust certificate holders. The purpose of the "trust" was to control prices, prevent competition, and cheapen the cost of production. The Standard Oil Trust, the American Cotton-seed Oil Trust, and the Sugar Trust were examples of this method of combination.

Later the word "trust" was given a wider and more popular meaning. It was used to designate any combination of producers for the purpose of controlling prices or suppressing competition. In this sense of the word all schemes whereby those who were competitors combine their interests are "trusts."

For twenty years trusts were a subject of great prominence. They multiplied rapidly and extended into many branches of business. They were the object of great popular opposition, and their legality was assailed, both in the courts and by prohibitory statutes.

The courts have held with great uniformity that these combinations are illegal if their purpose is to restrict production, raise prices, and restrain trade. The law is clear that any combination of competing concerns for the purpose of controlling prices, or limiting production, or suppressing competition, is contrary to public policy and is void. This principle of law has been applied with great rigor to some of the trusts. The two leading cases on the subject were the Sugar Trust decision in New York and the Standard Oil Trust decision in Ohio, decided in 1890 and 1892. There at first was much litigation in the state courts and little in the federal courts on this subject, but gradually this was reversed, as the anti-trust act of congress of July 2, 1890, was applied more vigorously by the supreme court. After the Sugar Trust decision and the Standard Oil decision, referred to above, were rendered, the great trusts reorganized by conveying all their property to a corporation organized for

the purpose of taking over the property. At first the federal act was ignored by the business public and practically nullified by the decisions of the United States courts, especially in the Sugar Trust decision in 1895. In 1897, however, the supreme court passed upon the legality of an interstate railroad pooling contract, and held that such a contract was in violation of this anti-trust act of congress of July 2, 1890. This was followed by a still more important decision by that court in 1899, when it was held that congress had power to regulate the purchase, sale, and exchange of commodities between the states, and hence, under the anti-trust act of 1890, the United States government might enjoin a combination in restraint of trade by means of contracts, the purpose of which was to destroy competition and increase prices. Twelve years later came the Standard Oil Company decision, and the American Tobacco Company decision, and then the Union Pacific decision. In 1920, however, the supreme court held that the United States Steel Corporation does not violate the act and that mere bigness is not illegal. The pendulum is swinging towards greater liberality. The principle of combination is no longer the test, but unreasonable restraint or improper methods are not tolerated. For instance, the "open-competition" plan of manufacturers to have a central agency collect and distribute prompt information as to sales and prices, the purpose and effect being to suppress competition, is illegal under the anti-trust act of congress.

Two schools of thought exist on this subject.

One favors more legislation, more prosecutions and jail sentences. It relies on national and state action rather than on the workings of natural laws. It points out the innumerable trusts, big and little, which control business. It favors abolishing the tariff on articles controlled by a trust. It points out that the trusts sell their product cheaper abroad than at home. It says that a protective tariff enables the trusts to raise prices to the American consumer above prices already raised by combination.

The other school claims that the big combinations are the only safe ones, on account of publicity of profits and the fact that those profits are due largely to saving of overhead expense, greater use of improvements, and concentration of production. They point to England, where such combinations are permitted, and to ante-war Germany, where "cartels" were encouraged and aided by the government. They say the uses of large open combinations should not be confused with the abuses of small ones, which work in the dark. As to jail sentences, they say that juries are reluctant to convict and courts apt to be lenient when business men combine, often as the only way of stopping ruinous competition. They mention that the certainty of justice is more important than its severity. They admit that injunctions are like a sword cutting water, but nevertheless claim that injunctions are readily granted and molded to fit the case. As to the protective tariff argument, they point to England, where under free trade combinations flourish and are not interfered with. But free trade and foreign competition keep prices down. It is another illustration that the less government the better, except to preserve law and order.

Meantime the courts are working out the problem, aided by a healthy public sentiment, which realizes the saving by combination and yet the danger of misuse of power. Each case is tested by whether the public is injured by excessive prices or whether competing producers are injured by unfair practices. The whole problem is still in the melting furnace, with a tendency to allow natural forces to work themselves out.

Public opinion is rapidly changing in regard to the proper way of dealing with monopolies and combinations. This change is as follows:

First as to public-service companies. Competition among them is no longer insisted on. Congress recently authorized the consolidation of railroads and also of telephone companies. In New York, Pennsylvania, Ohio, and other states, as stated by the New

York court of appeals, "It is the settled policy of the state arising through an extended and instructive experience to withdraw the unrestricted right of competition between corporations occupying through special consents or franchises the public streets and places and supplying the public with their products or utilities which are well nigh necessities." And now by statutes the states generally prohibit the construction of new competing railroads unless a commission certifies to the desirability of the same. The Interstate Commerce Act forbids an existing interstate railroad constructing another line unless the commission permits it. So also generally in the states, in lieu of competition, the rates of gas companies, street railway companies, steam railroads, telephones, and waterworks are regulated by statutes, ordinances, or commissions, subject to review by the courts.

Second, as to industrial companies public opinion is in a transition state. Where a combination or monopoly unduly raises prices public opinion condemns them, but where they reduce prices or improve the product or even make a saving in overhead or by mass production, public opinion is not inclined to apply anti-trust statutes to them, even though they become enormous in size and do most of the business. The difficulty is in breaking up the bad ones, even when convicted. The courts are vigilant, however, and gradually are inculcating better business ethics, and that too by imprisonment when necessary.

The fact is that the industrial movement of the age is irresistibly towards consolidation and combination, in connection with the expansion and extension of trade at home and abroad. The law is designed to check any abuses in this tendency, and has been successful in so doing. The law, however, is not intended to interfere with the legitimate demands of trade, and the anti-trust act of congress, as now construed and applied by the supreme court, will serve to check the abuses without interfering with the uses of great corporations. It was demonstrated in England many years ago in connection with statutory pro-

hibitions against the consolidation of railroads, that the laws of trade are stronger than the laws of men. England does not interfere with combinations in trade and manufacture, but relies and successfully relies on free trade competition, open to the world, to prevent unfair prices. America, notwithstanding its vast wealth, unlimited resources, and high intelligence, shuts out foreign competition.

But the economic features of trusts are of little consequence, compared with the effect on the character of Americans. The same objections that apply to displacing country bankers by branch bank managers, apply to displacing independent manufacturers by local managers. A superintendent differs from an owner. Decision of character is more important than a favorable balance sheet. A fighting captain is better than the sutler in the commissary. A hundred thousand resourceful, vigilant, and successful competitors mean more to the general tone of America than a thousand men carrying out orders from headquarters. The local independent manufacturer is a power in his town and rarely thinks of moving to a large city, but the trust is apt to dismantle isolated factories and concentrate them in cities. It is a question as to how far the big overcapitalized trusts can compete with foreigners, if the tariff protection is withdrawn. The day of the little manufacturer may come again, and certain it is that he is more valuable in solving American problems than all the trusts that ever were formed. It may be that great combinations with mass production cheapening costs have come to stay, but they are always trying to influence the government to aid them by tariff laws, tax laws, foreign intervention, political appointments, or in other ways, and their methods of influencing government are not always above reproach. Whelpley says, "In the United States Roosevelt was spokesman for a people determined to throw off the rule of capitalistic vested interests. . . . Many thoughtful Americans believe that at no time since the Civil War of over sixty years

ago has the Republic, as it was designed by its founders, been in greater danger than it was at the dawn of the twentieth century, through the commercialized politics of that critical period. Fortunately for all concerned, an intellectually honest man came into the White House, whose interests and mental activities were not particularly concerned with business, a man with supreme political courage, which no vested interest or political ring could bully into subjection. Theodore Roosevelt had his grave faults, and made serious mistakes in policy and in action, but the people of the United States owe him an enormous debt of gratitude as the man of the hour in a great national crisis." [1]

There is no danger to American institutions from great fortunes. Those are conservative and their owners timid and quite content to be simply protected. The danger is from ambitious and at times unscrupulous men, straight from the ranks, who direct the great trusts. They know the value of government coöperation and seek it. Here is where the danger lies. The corrective is the character of the people, and when that is lost all is lost. And that character, in the cities at least, is affected profoundly by the trusts. Mass production is destructive of independence of character. A cohesive army of clerks and other employees controlled by a few great organizations, however conducive to cheap goods and increase of comforts, is not conducive to the production of the old type of Americans. The corrective is that this is a vast agricultural country; that the farms still turn out that most valuable crop of all — young people of primitive habits and virtues; that agriculture is still "King," and that the country folk rise when republican institutions are in danger.

CHAPTER XXI

THE CORPORATION

In an old English case,[1] decided in 1613, it is said: "The opinion of Manwood, chief Baron, was this, as touching Corporations, that they were invifible, immortall, and that they had no foule; and therefore no Subpœna lieth againft them, becaufe they have no confcience nor foule; a corporation is a body aggregate, none can create foules but God, but the King creates them, and therefore they have no foules." The average American believes that a corporation is not only soulless, but is also heartless, although not altogether brainless. This is a queer combination and is worth analysis.

It is a curious fact that while the Americans abuse the corporation oratorically, financially, politically, and otherwise, yet they trust it to the farthest limit, farther than they trust individuals. The railroads of the country are intrusted to corporations only. Individuals are not allowed to own or operate them. So also with street railways, gas, electric light, telegraph, telephone, and power companies, and waterworks with rare exceptions. With equally rare exceptions the power of eminent domain is given to corporations alone. So great a trust is involved that the corporation cannot even transfer that trust except with the consent of the state.

Nor is this all. The tendency is to require all banks to be corporations. Private banks are dangerous. The public lose their deposits. Corporate banks, on the other hand, are regulated and examined *ad libitum*. But who cares? The corporation can be worked, worried, chastised, hamstrung, and even executed without shocking the public conscience.

Then there is the recent change of sentiment as to trust estates, created by a will or during life. More and more the trust companies and banks are being made the trustees. They do not die and they obey the law in administering the trust. Personal trustees of large estates are somewhat under a cloud of late.

And in the recent war corporations were organized by the Government to carry on government activities and escape the red tape of bureaucracy. There, too, they did their part in that mighty rush of men, money, and material to Europe, which enabled the American troops to immortalize Château-Thierry, Belleau Wood, St. Mihiel Angle, the Argonne forest, and the cutting of the German line of communications at Sedan.

The charities of the world are administered by corporations. They preserve, use, and pass the funds on from age to age. They serve without pay, without appreciation, and with very little recognition. They alleviate the sufferings of the world and ask nothing in return. They do their work continuously, unobtrusively, and faithfully from generation to generation. And so in other ways. Choice private libraries are broken up and sold. The corporation alone preserves them. Man is mortal and full of vanity. The corporation is immortal and oblivious to fame.

The corporation is an industrial revolutionizer. It turns real estate, buildings, and machinery into personal property. It owns them, and to represent them issues certificates of stock — personal property. This makes liquid that which was frozen. Three hundred years ago the bulk of property was real estate; today it is personal property. The corporation did it. The corporation drags to the light hidden as well as immobile capital. Capital loaned on notes or mortgages or hoarded or deposited in banks may conceal itself, but capital invested in a corporation shows itself.

And it is the only form of wealth that can be absolutely controlled by the public. The charter may be annulled at the will of the legislature, under the reserved power. It may be "regu-

lated" until it is sick nigh unto death. Its misdeeds may be dragged to light mercilessly. It is generally prejudged as an outlaw anyway by investigating committees and grand juries, and fines are meted out to it by the courts with lavish and unsparing hand. It has no friends and is kicked, cuffed, beaten, battered, and knocked around utterly regardless.

Without the corporation great enterprises could not be carried on. It alone can supply the capital. It gathers the savings of millions to do work involving billions. The limited liability of the stockholders is the "open sesame" to the private wealth of the world. It unites the world by union of capital.

The corporation is the only way a man can engage in a hazardous venture and limit his loss and yet take part in the management. Tacitus said the men of the northern races were great gamblers and staked their personal freedom in the game. Tacitus, however, lived nearly two thousand years ago and hence was not familiar with the modern financial acrobat who saves his precious skin by limiting his liability.

And the corporation may be taxed. Taxed indeed! The corporation is considered the legitimate prey of the tax gatherer. The political genius of today lies awake nights thinking up new modes of taxation. What the public is looking for is a political genius who will abolish old ones. As if already of taxes we have not a great sufficiency, it is now proposed that the nation and states shall tax each other's bonds interchangeably. The corporation, however, is the favorite target. It is taxed in multitudinous ways and in every conceivable way. It is capital that is impersonal. Prior to the recent war some of the states paid all of their state expenses from taxes on corporations. Taxes unlimited; taxes in eleven different ways on (1) the franchise; (2) the capital stock; (3) corporate real estate and personal property; (4) the stock and bonds as against the holders; (5) dividends; (6) corporate income or profits; (7) stock transfer — stamp taxes; (8) inheritances of stocks and bonds;

(9) incorporation fees and increases of capital stock; (10) license fees; (11) duplicate federal taxes. Sometimes all three governments, federal, state, and municipal, exact the same kind of toll, such as license fees and other choice assortments of tax wonders. The old barons on the hills had much to learn. The corporation may be soulless and heartless, yet for usefulness and tax purposes it surpasses anything in ancient or modern times. The marvel is that it survives at all. Sometimes it migrates, because, although it is a useful beast of burden, there is a limit to the load. When that limit is reached it silently folds its tent and steals away; just as capital always does if it can. The corporation then incorporates in another state or perhaps takes refuge in no par value stock. This New York device for issuing something that may represent little or nothing is a pretender in the corporate world — a "blind pool." The Attorney General of Michigan was right when he said such stock "has in most cases no tangible value except as it is given such by the earnings of the corporation."

Finally the corporation is the pet subject of experiment in the hospital of sociology. That new philosophy, which as applied by radicals would subvert constitutional principles, overturn *stare decisis*, teach a new jurisprudence to the young, and devote all things to social uplift, makes a specialty of operating on friendless corporations. Being impersonal and reputed to be rich, and having a bad reputation, the corporation is carved up for social regeneration. If it dies, it is a case of just retribution; if it lives, it is an exemplification of supreme art. It is the victim of the top-lofty theories of sociology which resemble the top-lofty sails of Yankee craft, captured by the Europeans in the Napoleonic wars. The Europeans found them too flighty and so cut them out.

Great is the American, though somewhat ungrateful. The corporation is his faithful dog, his useful donkey, his seven-leagued camel. It serves equally the high and the low, the rich

and the poor, the wicked and the honest, the industrial king and the humble plodder. It is a wonder — the greatest of modern times. And it rules the world because it absorbs most of the talent of the world.

Unfortunately the corporation, having "no body to be kicked or soul to be damned," respects power more than persons. To it the American Constitution and American institutions are governmental forces, useful for protection and aggrandizement. The corporation is impersonal wealth; it is capital; it is the trust; it looks out for itself all the time and bends rather than break. It has no sentiment or pride and can change face quicker than a politician. And yet after all it is safer for American institutions than other forms of aggressive wealth, because the corporation has placed its very life in the hands of the legislature and courts. It can be decapitated if it goes too far.

The danger to the republic from great corporations is the danger from great wealth with the added danger that men will often do in the name of a corporation that which they would not do in their own name. These men are patriotic but they often fail to see the dangers they create for American institutions by their acts.*

* The corporation is further considered in pp. 553, 554, *infra*.

CHAPTER XXII

LABOR UNIONS

THE primeval curse is said to be that "By the sweat of thy brow thou shalt earn thy daily bread." A better view is that this curse is a primeval blessing, in that it is a substitute for men preying on each other.* A practical view is that the primeval question is "How am I to get a living?" This question faces every young man whose parents are poor and might better face those whose parents are rich.

The law of Nature throughout the animal kingdom that the fittest shall survive and that the strong and crafty shall dominate and destroy the weak, has for thousands of years made human labor the servant or slave of the rich and strong. Nature increases population beyond the supply of food, and then decimates that population by war, pestilence, and famine, always favoring the strong. Only the higher civilization, itself also a product of nature, alleviates the sufferings of the unfortunate. Starr gives Sumner's views as follows: "There is no sentiment in nature, no predilection to serve man's interests. That she was made for him is true only in the sense that he may possess her if he can. Before her he has 'no more right to life than a rattlesnake; he has no more right to liberty than any wild beast; his right to the pursuit of happiness is nothing but a license to maintain the struggle for existence if he can find within himself the power with which to do it.' From her, moreover, he gets only what he extorts. Life is ever a struggle, not a feast of good things. There is no 'boon' in nature, nor has there ever been. On the contrary she presents man with a task perilous and of appalling

* That work of some kind is the hall mark of Americanism see pp. 537–540, *infra*.

magnitude. He lives and grows if he is strong enough to conquer obstacles; if not, 'then he may lie down and die of despair on the face of the boon and not a breeze, or a leaflet, or a sunbeam will vary its due course to help or pity him. This is the only attitude in which we find nature when we come face to face with her in her original attitude toward mankind; it is only when we come to her, armed with knowledge, science, and capital, that we force back her limitations and win some wider and easier chances of existence for ourselves.'" [1]

Gradually the laboring man — especially the mechanic and factory worker — forces some recognition of his right to a fair wage, where profits justify such wage. This produces a conflict with capital, owned by the rich and strong. Labor finds that by union and the strike, better wages can be obtained.

Then come the abuses of this power. Not content with labor unions and the strike, the strikers attack non-union laborers, and destroy the property of the employer, and finally by force and violence interfere with traffic on the great railroads. That was the situation recently. Railroad wages, which during and after the war advanced to a high figure by reason of the shortage of labor and the necessity of handling an immense traffic, are not now being reduced in accordance with the natural law of supply and demand, but are being held up by the railroad unions, relying on the strike and violence. Meantime the agricultural and clerical classes suffer.

"A school has arisen," says Lecky, "among popular working-class leaders which no longer desires that superior skill, or industry, or providence should reap extraordinary rewards. Their ideal is to restrict by the strongest trade-union regulations the amount of work and the amount of the produce of work, to introduce the principle of legal compulsion into every branch of industry, to give the trade union an absolute coercive power over its members, to attain a high average, but to permit no superiorities. The industrial organization to which they aspire approaches far

more nearly to that of the Middle Ages or of the Tudors than to the ideal of Jefferson and Cobden. I do not here argue whether this tendency is good or bad. No one at least can suppose that it is in the direction of freedom. It may be permitted to doubt whether liberty in other forms is likely to be very secure if power is mainly placed in the hands of men who, in their own sphere, value it so little." [1]

Labor unions may be divided into two classes: first, those in factories, trades, manufacturing, etc.; second, railroad and coal unions.

Unions in factories, etc., will work out their own cure. If they resort to violence, the police can control them. If they raise wages too high and the employers raise the price of the goods, there comes a "buyer's strike," in that the public will not buy. Then factories close and unemployment begins, until wages are readjusted. Meantime certain outrageous practices of the unions meet public condemnation. President Eliot with great clearness of thought and expression characterizes them as non-democratic. He shows the injustice and selfishness and misuse of power by the unions in limiting the number of apprentices, in the boycott, the union label, the clash of unions as to what work belongs to each, the refusal to allow even trivial overstepping of the line of division of work, the limit on the amount of output a man shall produce, thus limiting his work, the refusal to use material from a non-union source, the minimum wage which results in a uniform wage — a wage more than the poor workman earns and less than the skilled workman could earn, and President Eliot summarizes by saying, "It is high time it should be generally understood that trades unionism in important respects works against the very best effects of democracy." [2] He says it is the duty of capital to combat these practices and that capital alone can cope with them. The building trade unions are the worst offenders. They bring reproach on the very word "union."

But with the railroads the case is different. Moorfield Storey says, "Some months ago [1919 or 1920] Mr. Gompers, the eminent leader of organized labor, said to a committee of the United States Senate that if a law were passed making strikes by railroad employees illegal and punishable, he should not hesitate to defy the law. The statement probably defines the attitude of two or more millions of men, who practically can arrest the business of the United States, and thus presents a very serious question. No state can interfere with interstate commerce in any way, but these men claim a power which is denied to New York or Ohio, and which the people would never by law entrust to any one. . . . When a man like Mr. Gompers, as the leader of perhaps millions of men, defies Congress and threatens civil war if it exercise its undoubted power in a way which he does not approve, he should be made to realize that his attitude is hardly to be distinguished from treason." [1] This threat of Gompers was probably bluster and bluff, because the Government has a reach long enough and a grip strong enough to imprison those who defy its authority and laws, but when the president of a labor organization representing three million men indulges in such talk as this the American people instinctively scent danger and will meet force with force. A peaceful strike is bad enough in stopping transportation of food, coal, and passengers, but when to this is added violence, it becomes intolerable and the American people will not have it. Such unions are a menace to public safety, leading to riot, destruction of property, and even murder. The character of railroad service, the wide extension of its lines through many states, the unity of action of the strikers on many systems of railroads, the paralyzing of trade and industry throughout the country, and the danger of stoppage of supplies, have aroused the public to a realization of the despotic power wielded by these railroad unions. And strikes are accompanied with violence. And fear at times paralyzes the government. The impudence of the demands are equalled only by the disgrace of yielding to threats. In 1916

railroad union leaders sat in the gallery above Congress and gave that body a fixed time within which to enact a railroad wage law or face a strike. Congress yielded, but never again. The "Plumb Plan" which would operate the railroads for the benefit of railroad employees instead of the public was supported by railroad unions. The Government was right when, in its application to the United States court in Chicago in 1923 against the railroad machinists' violence in a strike, the Government said in substance that if the unions attempt to dominate this country the Government will destroy the unions. Powers is right when he says, "Cannot labor see that the strike which could be freely permitted when it affected a single employer and was scarce felt in the general market, becomes intolerable when it paralyzes the basic industries or communications of society and brings life to a standstill? Does labor imagine that society will submit to starvation while it coerces its employers? Cannot labor see that the plea of liberty becomes mockery when urged in the interest of social oppression by an organized class? These issues are not doubtful. It is only a question of how long it will take and how much it will cost to adjust ourselves to the new situation. Railway labor must find a way to secure its ends without stopping trains, and miners must not expect justice from a freezing community. Strikes that paralyze society are inadmissible and will not be tolerated." [1] In short, a comparatively small body of men may paralyze by a strike the transportation of the country. The remedy is compulsory arbitration and making a railroad strike a criminal conspiracy.[2] Calder correctly says that railroad employment "will carry with it legal liability for failure to fulfill the duty, as well as the privilege — not granted to the great mass of industry — of having wages and conditions of work determined by public authority under considerations of public welfare. It will reaffirm, we believe, in unmistakable terms, the penal liabilities of 'attempted exercise by individuals of powers belonging only to government,' * which were set forth

* 158 U. S. 564, 592 (1895).

by the Supreme Court of the United States twenty years ago in Justice Brewer's judgment in the Debs case of inciting riot. . . . Recent activities of organized coal-miners and railroad shopmen went far beyond the peaceful abandonment of their jobs in order to better themselves elsewhere. Their actions and language showed unmistakably that they were deliberately engaged in an organized effort to prevent the public from having coal or transportation except upon the conditions laid down by them. Conspiracies of this kind against the public are not privileged except as state police authorities by delayed action or legislative bodies by class legislation make them so. . . . The question to be permanently settled is whether the labor organizations that have hitherto intrenched themselves in the mines and railroad shops may by virtue of possession dictate the terms upon which the public may have coal and transportation. If they or any similar bodies are strong enough to deny service and prevent any effective substitution and their right to do as they please with these essential industries is unchallenged, the American people are in their power. The difference between this and Sovietism is invisible from the standpoint of the public." [1] The power of the railroad unions is being broken by a new and unexpected force — the motor trucks on highways. Already the passenger traffic is going more and more to motor coaches and automobiles. And freight, especially garden truck, can go by road. Railroad strikes can no longer starve or freeze the public into conceding labor demands. Even coal is being supplanted by electricity from water power. The great crops and productions of the west are still subject to higher and higher wage demands of railroad unions, followed by railroad demands for higher rates, but the public is getting very tired of it all, and the farmers believe rates are already too high. Competition in railroad labor will be insisted upon and then railroad wages will find their proper level high or low. The guild system is out of place with the railroads. In England when a railroad strike occurs the whole population —

clerk, banker, butcher, and baker — turn in to run the trains and handle the freight. In the strike of 1926 the first passenger train from London to Liverpool had for its locomotive driver an American financier who happened to be in London. Another American ran the mail train from London to Dover for several days and kept all lines of communication open. In a short time the strike collapsed.

Street railway employees formerly thought that when they struck they could indulge with impunity in attacks on the property, assaults on new employees, and terrorism of the public. That day has passed. American freedom does not go that far. The liberty to work or not to work, to change one's occupation, and to come and go freely, is not a license to attack, kill, and destroy. The police and state militia have put an end to that on street railways, and United States troops will put an end to similar atrocities by steam railroad employees.

Then there are the coal miner's strikes. These coal miners are largely Slovaks from Austria and Hungary, who had economically been dispossessed under Magyar rule and were without any independent political history. About forty per cent could not read or write their own language, but all had large families and many were intemperate. They began coming to America in large numbers in the eighties. From 1910 to 1920 their numbers increased from 281,707 to 619,866. Many after making some money went back. The Slovak is found where there is hard manual work to do, and he puts up with working conditions which an American workman would not tolerate. They do not take to agriculture. They do not intermarry with Americans and are not ambitious for even a common school education. They join unions or do not, according to those around and above them in organized labor. They are clay in the hands of the potter. They are ignorant of justice, freedom, and American institutions. Not all of the coal miner's unions are Slovak, but the above gives an idea of the raw material of these unions.

And they certainly are a menace. In some districts they rule by a reign of terror. Any attempt of the mine owners to employ non-union labor is met with murder, arson, riots, and stoppage of work until troops are called in. The outrages and lawlessness of these men when they don't have their own way, and the monstrosity of their acts were judicially reviewed by the Supreme Court of the United States in the case United Mine Workers *v.* Coronado Coal Co., 259 U. S. 344, decided in 1922. The record of crime there set forth is appalling. The importance of the whole subject is that the public is dependent on coal, and they who control the production of coal control the country unless law and order control that production. Even now the enormous wages paid have unduly raised the price of coal and yet the leaders of the coal miner's unions impudently demand and get long-time contracts as to those wages, under threat of a strike cutting of the supply — a strike supported by terrorism. John Stuart Mill has pointed out, in regard to proposed statutes fixing a minimum wage, that then the country would "contain a greater number of people, in as great poverty and as great liability to destitution as now" unless restrictions were placed on marriage.[1]

Lyman Abbott says, "If any section of society endeavors to prevent any man from working and from enjoying the product of his work, that section of society is unjust. If any organization undertakes to prevent any man from working when he will, where he will, and for whom he will, and at what wages he will, that organization violates the essential right of labor. It is not primarily the enemy of capital; it is primarily the enemy of labor; for every man has a right to work, and every man has a right to the product of his industry. Imagine, for a moment, that any man should propose to place a law on our statute-books providing that no man should work in any special industry unless he belonged to some special guild; not for one instant would he have the support of the people. Not for one instant would he have the support of any free people. But such a law

is not better, but rather worse, if it be enacted by an irresponsible body and enforced by violence."[1] President Eliot says of labor unions, "No union man can utilize any unusual skill or capacity he may possess to secure his own advancement. He cannot be eager or zealous at work, either in his employer's interest or in his own. He cannot be sure of bringing up his sons to his own trade. He cannot secure a rise of wages except through the union. He finds that the union rules make it very difficult for him to pass from the journeyman class to the employer class; but, worst of all, he is deprived of the individualistic motive for personal improvement from day to day and year to year. He sees that rapid workers and pace-setters are outlawed. He sees that his union makes apprenticeship unnecessarily long in order to keep down the number of journeymen; that it stops the employment of old men who are not worth the union wage; that it causes younger men who are dull or slow, and therefore not worth the union wage, to be employed only irregularly, at moments of unusual activity in their trades; and that it causes women to be practically excluded from many trades because they are not worth the union wage for men; and yet he submits to the majority which makes and enforces such rules. He not only modifies or suppresses his opinions, but also sacrifices precious rights as an individual to the collective interest of his class. Surely these losses of individual liberty to secure collective efficiency in combat are grave indeed. Taken in connection with the operation of the union rules limiting the output of the individual workman, these losses are sure to diminish very much in a few generations the individual initiative and productiveness of large masses of the population, namely, those that work under the factory system, or in other large bodies which are capable of being unionized."[2] He also points out the ethical and economic principles of modern democracy as follows: "These are freedom and appropriate opportunity for the individual, wide though not equal distribution of property, and the untrammelled pur-

suit of the durable satisfactions of life. The effective democratic powers for good are the intelligence of the mass of the people increased through universal education, the efficiency of the people at work through the exercise of individual liberty and coöperative good-will, and the maintenance throughout the life of each individual of the hope and expectation of improving his own or his family's lot." [1]

All of the unions combined are but a small part of America. Of the 41,609,192 wage earners, male and female, in the United States in 1920, only 5,110,800 were union men, and in 1926 these had declined to 4,413,523.[2] In October, 1925, the American Federation of Labor claimed it had 2,878,297 members. Even that number declines in times of unemployment when dues press heavily and when benefits are not so apparent, and the temptation to take lower non-union wages is great. And these unions make trouble and noise out of all proportion to their size. They are but a fraction of the people. The American Federation of Labor is the vociferous and belligerent representative of all of the great unions, including the railroad shop crafts, but not the conductors (74,539 in 1920), engineers (109,899), firemen (91,345), and trainmen or brakemen (114,107). Unskilled industrial laborers are not organized at all and this is well because they are largely ignorant immigrants and consider a strike as justifying violence. Formerly they were organized. The unions in America are not holding their own. As Wander, a recent writer, says: "The growth of the movement has been checked at a period of almost unparalleled industrial activity. While the concentration of wealth and power in the hands of the directors of industry and finance is progressing steadily and at a rapid pace, the organizations of labor seem to be lagging behind instead of gaining ground." [3] Wolman says: "In 1920 organized labor in this country was at the peak of its strength for all time. Now, seven years later, it is as weak or weaker than it was before the war." He points out that in the bituminous coal mines the union has

lost, and also in the railroad shop crafts, and in the metal trades, and textiles, while automobile manufacturing is free from unions, as are also the food industries, packing houses, baking, steel, tobacco, plain labor, woman labor, and negro labor. "The building-trades unions," he says, "are stronger than at any time in their history." Unions dominate in the newspaper field, and in the needle-trades and with actors, but have lost ground in the book and job industry. Wolman further says that machinery has changed labor and that the unions have not kept up with the changes.[1] Stanley says that the life of the American Federation of Labor hinges on the building trades, which in 1926 furnished 907,300 of the 2,888,900 members of that Federation. He gives a bad picture of the business ethics of the building-trades unions and evidently has no faith in their future when the slump comes in building, as is inevitable with the present building costs at twice those costs in 1913.[2] About one-sixth of all building is in New York City. It is said that in 1836 two-thirds of the working men in New York City were members of labor organizations.

Labor unions demand higher wages, shorter hours, a better status, and a more "equitable" distribution of profits. There is no end to the discussion, conflict, and books on this subject. For clarity of thinking substitute the farmers for labor unions. Certainly no one will deny that the farmers are more important in numbers, character, children, and influence on American institutions than labor unions. How then will the demand sound? How can the farmers get *their* share of a more "equitable" distribution of profit? Should they get more for their products? Yes, but they cannot, because they compete with Europe and with each other. Should they work shorter hours? Yes, but again how and still live? Should they have higher wages or income? Every one admits they should. Suppose the farmers struck; where then would labor unions be? The clamor and demands of these labor unions are impudent and brazen when

compared with the dignity and philosophy of the farmer, who seeks no advantage over any one.

Professor Commons of the Wisconsin University says that some labor unions require its members to become citizens and that the reasons for this "are not political; they are sentimental and patriotic."[1] I am not so sure about that. The unions try to defeat candidates for office who do not vote for union legislation. Moreover, organizations which violate the law, attack the courts, and resort to violence can hardly be called "patriotic."

In England labor unions are more formidable politically. They have furnished one Premier. Out of about 18,000,000 "gainfully employed," about 6,500,000 are unionized, largely from the 11,500,000 industrial workers. In America the unions do not care to stand up and be counted, their number is so small. They tried to be a separate party but failed. They include but a small part of the workers because they cannot control unskilled labor and because American employers fight the unions. In other countries all this is different.

Labor argues that if competition in production is eliminated by the "trusts," competition in labor should be eliminated by labor unions. There is force in this, but labor's trouble is that increased population increases the number of laborers, while increased capital hesitates to compete with the "trusts." Nature works against the unions and for the "trusts."

One thing the labor unions *have* done. They have been the chief factor in restricting immigration. Congress listens to the labor vote. It is true that the motive of the labor unions is selfish, namely, to eliminate the competition of immigrant labor. But the result is welcomed by all good Americans. Had it not been for these laws restricting immigration we would now be getting vast masses of indigestible dregs from Europe and Asia. It is appalling to think of what certainly would have happened. American labor would have been displaced by foreign labor. Wages would have gone down to a point where the laborer would

not have even creature comforts and no chance to rise. Commons on "Races and Immigration in America" says, "The competition of races is the competition of standards of living. The reason the Chinaman or the Italian can save three days' wages is because wages have been previously fixed by the greater necessities of more advanced races. But competition has no respect for superior races. The race with lowest necessities displaces others. The cotton textile industry of New England was originally operated by the educated sons and daughters of American stock. The Irish displaced many of them, then the French Canadians completed the displacement; then, when the children of the French had begun to acquire a higher standard, contingents of Portuguese, Greeks, Syrians, Poles, and Italians entered to prevent a rise, and latterly the Scotch-Irish from the Appalachian Mountains came down to the valleys of the South, and with their low wages, long hours, and child labor, set another brake on the standard of living. Lastly, Italians are beginning to be imported to supplement the 'poor whites.' Branches of the clothing industry in New York began with English and Scotch tailors, were then captured by Irish and Germans, then by Russian Jews, and lastly by Italians, while in Boston the Portuguese took a share, and in Chicago the Poles, Bohemians, and Scandinavians. Almost every great manufacturing and mining industry has experienced a similar substitution of races." [1] These hordes furnish the most perplexing problem of preserving American institutions. At the close of the recent war tens of millions in eastern and southeastern Europe, largely refuse and outcasts, looked on America as a Garden of Eden to be reached if possible. The steamship companies were prepared to do the rest. All thinking Americans saw the danger, and Congress responded by the drastic law of 1924. There was some dissent, but nothing serious. No self-respecting American laborer can live on wages which the immigrant will accept. The future of American labor will be difficult enough without that foreign element. As Ameri-

can population increases by its own growth wages will go down and not even a protective tariff can keep them up. We are living in a sort of fool's paradise of prosperity, but that is no reason why the pauper labor of Europe and the dregs of its cities should drag down the character and standards of our people. The labor unions are entitled to credit in closing the doors. Their motive, like the motive of the French in aiding the American Revolution, need not be inquired into too closely. Some day, America for its own preservation will exclude all immigration, except from Great Britain, Holland, and the Scandinavian countries. For a hundred years America believed that its mission was to furnish a home for the poor and oppressed of all nations. That theory collapsed under the avalanche of Asiatic immigration to the Pacific Coast. It has disappeared entirely under the still greater avalanche of immigration of the most ignorant and unmalleable hordes of eastern and southeastern Europe.

The Jews in America have persistently opposed the passage of immigration restriction laws. It can hardly be said that for philanthropic reasons they wish to admit all the Jews of Europe, inasmuch as it is well known that when the Jews are admitted to Christian hotels and social organizations their first thought is to keep out other Jews. The irresistible conclusion is that they seek political power, and votes are what count in the onward march of power. They already have political power in New York and elsewhere and are not backward in asserting it. The influx of millions of Jews from Europe, especially Russia and Poland, would increase that political power immensely. How would that power be used? It cannot be said that the Jews misuse their power when in public office, although they do favor their race always; neither can it be said that they place the Constitution above their race. They like the Constitution because it protects them and their religion from persecution and their property from seizure, but as to any worship of American institutions, the Jew prefers Judaism, and if they ever attain real

political power America will find that out. Always and everywhere in every land their aloofness and clannishness have made them a separate people, preferring always their race. Ultimately as their wealth, power, and numbers increase they will be a proscribed race because an *imperium in imperio* will not be tolerated permanently in America. Their advocacy of unrestricted immigration is selfish and utterly regardless of American interests.

The great labor unions in the United States are changing their tactics. They realize the danger of the whole public being ranged against them. They know that they have got to square their policy and action with justice. They have learned that no great strike has succeeded where public opinion was against it. They have learned also that violence and destruction of property have placed them under a ban. Their leaders now realize that their only hope of permanent success is to placate public opinion and that this can be done only by argument, reason, justice, and fair practices of the unions themselves. When they reach a point where differences are arbitrated and the decisions lived up to, then and not till then the labor unions will have the sympathy of the public. Without that sympathy they are doomed to defeat. Meantime the attacks by labor unions on the courts, because the courts declare illegal many labor practices, incense the public. That kind of hostility reacts and solidifies the public against them. It shows utter selfishness and lawlessness on the part of the unions themselves. Any organization that makes a systematic attack on that greatest of all American institutions — the Supreme Court — is a public enemy and should be put down. And yet the American Federation of Labor in its program for 1924 included curtailment of the power of the Supreme Court. On the other hand, when on October 7, 1925, at the annual convention of the American Federation of Labor, a British labor leader asked that American labor unions show some sympathy for Soviet Russia, the president of the Federation of Labor replied at once in ringing words: "We are not ready to

accept the doctrine of Communism, and we wish that our friend who has so kindly advised us and has offered us such frank suggestions might take back to the Russian Red Internationale this message: That the American labor movement will not affiliate with an organization that preaches that doctrine or stands for that philosophy." [1]

This labor question is full of profound and perplexing problems. In the first place the great natural law of supply and demand cannot permanently be overridden. As population and labor increase wages will go down. This subject is considered further later.*

Turning again to labor unions the "strike" will gradually be displaced by more peaceable and reasonable methods. The vast population of this country will not tolerate that coal and transportation may be cut off by strikes. Laws will be passed that such strikes shall be criminal, and arbitration compulsory. Hammond and Jenks state [2] that compulsory arbitration with penalties has not succeeded in Australia and New Zealand, but apparently that pertained to ordinary industrial strikes and a criminal statute which may be enforced against the leaders of a railroad strike would be a very different thing. The Railroad Act of 1920 contained such a provision making railroad strikes a misdemeanor, as the bill passed the Senate, but that provision was stricken out in Conference, the labor power being stronger than a sluggish public opinion. Eliminating the railroad and coal unions there is not much left to worry about. The other unions can be left to work out their controversies, and every one is in favor of elevating the character of the wage earning class. The natural laws referred to above will ultimately work their way. To be sure, the public is getting very tired of the noise, disturbance, and class selfishness of the very small but vociferous minority found in the unions, but the public will be tolerant of every fair effort of the wage earner to better his condition. Illegal methods and

* Pp. 526, 571–573, 581–583, *infra*.

force will meet with force backed by law. So also the public has its eye on the employers, and while welcoming good goods at low prices, even though trusts are formed to produce that end, yet any attempt to control the government by invisible means will lead to public regulation in ways unpleasant to employers and capital generally.

The present tendency is clear. Railroad wages are not reduced and so railroad rates are raised. The public pays. Coal wages at extravagant figures are continued and the mine owners raise the price of coal. The public pays.[1] In other branches of industry there is the same recourse to raising prices sufficiently to pay the wages demanded and still leave a profit. The public pays. The consumer cuts down consumption but still he must live. The result is that the middle classes are being ground down and incomes are worth less. As usual, the farmer holds the bag, and it is to be remembered that nearly half our people live on the farms and in towns of less than 2500 population, the figures being 51,406,017 as against 54,304,603 in cities of 2500 and more. This solution of the labor question, namely, raising the price to the consumer, is aided by the practical monopolies in production which the vast consolidations have produced, and is aided also by the protective tariff which shuts out foreign goods at cheaper prices, but it cannot last. The public is resisting. The favorable balance of trade with foreign nations is coming to an end. Prices will tumble, wages will fall, profits will disappear, and a lower basis will have to be accepted.

So much for union labor. The labor upon which depend the present and future institutions of America, namely, the farmers, has no union. And the farmers with the small towns control this country. They are slow to move; slow even to make up their minds; but when once they reach a conclusion, neither labor unions nor any other industrial, financial, or political organization can withstand that conclusion. The lawlessness of the unions strengthens the need of preserving those institutions.

CHAPTER XXIII

RAILROAD MEN

They are a remarkable class of men, with qualities good and bad. Their good qualities are characteristic. Governing immense numbers of men and handling almost incredible masses of freight and traffic, they are hearty, genial, and overflowing with spirits, health, and force plus. Generally they come up through the ranks and know all parts of their business. They know their men and are more competent to deal with them and handle them than any outsider, or board, or government. They sympathize with their men, but when free to act will not be overridden or terrorized by threats or fears. They have produced the lowest freight rates in the world, and compete savagely to get traffic. They are indomitable, persistent, and untiring in their work and devotion, each to his own railroad. They spanned the continent with a network of railroads in an incredibly short time and produced men who revolutionized the railroad industry, such as Vanderbilt, Huntington, Hill, and Harriman. These are the kind of men who have turned an uninhabited continent into a nation. They have amassed fortunes for themselves, to be sure, but used those fortunes, not for themselves, but to build and build and build again, and meantime the national wealth was increased by their work a thousandfold.

But there are shadows in the picture. They have not always been fair to the public or their competitors or their own good name. They considered their railroads as private property, free from public control of rates and service. They charged all that the traffic would bear, although they claimed that that was their maximum and not their usual charge. They could not under-

stand on what theory the government claimed the right to control them. With their competitors they were ruthless. Border warfare with the Indians was no worse. A competitor existed only to be cut down. Consolidations, mergers, and amalgamations constituted their diet and they were not squeamish in the preparations. Where combination is possible, competition is impossible, said George Stevenson, the inventor of the locomotive, and American railroad men demonstrated that that was so, with cannibal-like voracity and rapacity. And there were other abuses. Secret rebates and discriminations were formerly the rule and not the exception, in favor of large shippers. Contracts were made to be broken, if the profit in breaking was greater than in keeping. Contracts fair on their face were distorted into impositions. Railroad men got the reputation of being hard, unfair, ruthless, and unprincipled.

And their financial ethics left much to be desired. The public was looked upon as legitimate prey. Their own railroads were sometimes looted. Like many men of sudden rise from poverty to opulence they were at times unscrupulous as to how they got rich. It is unnecessary to go into sordid details. A public prejudice was created that continues to this day, and has done the railroads themselves infinite harm. Often too the great fortunes thus created descended to worthless or incompetent heirs, to whom the wealth was a curse. Lecky says, "But, of all forms that great wealth can take, I know of none that gives greater opportunities or temptations of abuse than that of the railway king, who controls for his own selfish purposes the chief lines of communication in the country. In no other country has this class of men been so prominent as in America, and in no other has their power been more hideously abused. Nowhere else have there been such scandalous examples of colossal, ostentatious fortunes built up by reckless gambling, by the acquisition of gigantic monopolies, by a deadly and unscrupulous competition bringing ruin into countless homes by a systematic subordination

of public to private interests, by enormous political and municipal corruption." [1] Roberts well says, "The officers may manipulate the market price of the securities of the corporation to their own advantage, using inside information before it reaches other stockholders or the public. Closely associated with this weakness is the manner in which unscrupulous directors and officers have at times handled the properties to their own advantage. The history of railroading affords illustrations of this." [2] The picture is not pleasant.

Judge Anderson of the United States Circuit Court of Appeals in Boston told the Joint New England Railroad Committee on December 20, 1922, that the railroad presidents are "lacking in virility, ingenuity, and elasticity." But is it not asking too much of a railroad president to operate his railroad, finance its necessities, negotiate contracts with other railroads, watch legislation and taxation, and yet perform the public duty of good service and low rates? The fault is in giving him too much to do and too much power. Railroading is a hard business and produces hard men. The public is apt to suffer. What cares the railroad man for high rates if he can get plenty of traffic and plenty of money for his railroad to spend? There is an irreconcilable conflict between the interests of the railroad and the duty to the public, and the former prevails. Those railroad men are not wonders. Most of them came up from the ranks through a hard school and the wonder is that they do as well as they do. Modern railroad presidents are not large stockholders in their companies, as was the case with Huntington, Vanderbilt, Harriman, and Hill. The modern president represents not himself but some controlling interests that look for results. Here again conflict arises between the president retaining his position on the one hand and operating his railroad for the public on the other. Interest conflicts with duty.

In 1921 twenty-five railroad presidents received salaries of $50,000 or over. Nearly all began their railway careers as

workers in the ranks. Ten had attended college, seven having been in the engineering course. They earn their salaries and no one is more competent to operate those railroads, but is the duty of the railroads to the public to be learned only by being hammered in by courts, commissions, and legislatures? Railroad service teaches railroad operation, but apparently does not teach public duty and a recognition that railroads are public institutions. Moreover, there is a touch of arrogance in railroad men, who resent any suggestions from outsiders or any idea that railroad men are not the most competent to decide each, every, and all questions that arise between the public and the railroads. That attitude has had a severe jolt during the past few years and will encounter others.

Commissions now regulate the financing. Criminal laws have almost stopped rebates and discriminations. Consolidations must first be approved by the government. The field for financial exploiting and juggling has been restricted. Financiers have betaken themselves to "fresh woods and pastures new." Railroad men still grow rich but not as of old. Irregular perquisites are more dangerous.

The railroad problem is unsolved; namely, how to get low rates and efficient service with minimum governmental control. Present railroad men do *not* represent public opinion, and railroad directors generally represent a hope of gain by advance information or collateral contracts. Government ownership on the other hand would bring domination by railroad unions, unnecessary service, unnecessary new lines, higher wages, higher rates, poorer service. But the present situation cannot last. The public dislike equally the selfishness of private ownership and the incapacity of government ownership. The solution probably will be a Federal Railroad Board electing railroad directors of federal railroad consolidations, and with responsibility of the government for reasonable dividends as well as control over rates and expenses.

As an element in the American character, railroad men are not to be ignored. They are resourceful, combative, forceful, alert to grapple with difficulties and responsibilities. Formerly in their power and irresponsibility they obeyed but one law, the law of nature, the law of survival of the fittest. Those days have passed, but a railroad president or general manager is still a subject of curiosity and admiration, as personifying the fighting, dominating qualities of the race. Nor are the locomotive drivers to be overlooked. Roosevelt correctly considered them, it is said, as the most virile class of men in the nation. They do not come in contact with the public and hence are free from graft and guile. They are intelligent, reserved, and efficient. An engineer driving a locomotive at fifty miles an hour in the night is a highly organized type of being. It is quite immaterial how high the wages may be for this kind of man. He is cheap at any price.[1]

There are about two million railroad men in the country in times of prosperity. This is a very substantial part of the thirty-two millions of adult male population. And they are distributed through every part of the country. They are true Americans. Their vocation is a hard one, but it makes men. Their unions keep them away from capitalistic influences. They are intelligent and active and are large factors in American life. They are for American institutions and will never be backward in the fight.

NOTES

(for p. 1)

PAGE 1, NOTE 1: "Under the reign of George III, from 1760, and especially during the wars with France, the system of government was changed. The king began to exercise his rights. He chose his ministers at his own pleasure, even outside of the majority; he dismissed them, even when they were sustained by the majority. He began to be present at the council of the ministers and to impose his will upon them. . . . The Tory party, favorable to the royal prerogative, allowed the king to direct the policy of the state." History of Contemporary Civilization by Charles Seignobos (1908), pp. 208, 209.

p. 1, n. 2: Robert H. Murray (English) in his History of Political Science from Plato to the Present (1926), p. 284, says: "The Convention of Philadelphia set up a democratic constitution in an age when such a constitution was wholly unknown. In 1787 George III had been twenty-three years on the throne, and he had spent the whole of them in the endeavour to realise the ideal of Bolinbroke's *Patriot King*, which meant in effect that he aimed at autocracy. Yet his was the freest — in fact the only free — country in Europe. The States-General of France had not met since 1614, and the memory of popular control had died away. In 1766 Louis XV issued an edict declaring that he held his crown from God alone, and that he was the sole fountain of legislative power. Sixteen years before the Convention of Philadelphia he had abolished the local parliaments. The fate of the States-General had been the fate of the Cortes of Spain, of the republics of Central Italy, and of the greater part of the free institutions of the towns of Flanders, Germany and along the Baltic. The Revolution of 1772 greatly aggrandised the royal authority in Sweden. In Holland the House of Orange gained a quasi-royal position at the expense of the corrupt States-General. For generations Poland had been struggling with anarchy, and in 1772 she suffered her first partition. France crushed the freedom of Corsica. An oligarchy as corrupt as the Dutch States-General governed Genoa, while Venice, nominally republican, was really so devoid of authority as to be ready to fall before the first invader. With the possible exception of Geneva, in Switzerland we find that Berne, Fribourg, Lucerne, Soleure and Zurich were all under the narrowest oligarchy. Into such a world was the federal constitution of the United States born."

p. 1, n. 3: See Historical Essays by James Ford Rhodes (1909), p. 206.

p. 1, n. 4: Development of European Polity by Henry Sidgwick (1903), p. 319.

p. 1, n. 5: Lord Acton, the English historian, says as to Lewis XIV: "He did not say, 'L'état, c'est moi.' Those words, I believe, were invented by Voltaire, but they are profoundly true. It was the thing which the occasion demanded, and he was the man suited to the occasion." Lecture on Lewis the Fourteenth (1899–1901), republished in Lectures on Modern History by John E. Acton (1906), p. 234.

p. 2, n. 1: Modern Democracies by Viscount James Bryce (1921), Vol. I, pp. 12, 27. See also Vol. II, pp. 599, 600. Wendell Phillips said: "Standing on Saxon foundations, and inspired, perhaps, in some degree, by Latin example, we have done what no race, no nation, no age, had before dared even to try. We have founded a republic on the unlimited suffrage of the millions. We have actually worked out the problem that man, as God created him, may be trusted with self-government. We have shown the world that a church without a bishop, and a state without a king, is an actual, real, every-day possibility. Look back over the history of the race: where will you find a chapter that precedes us in that achievement? Greece had her republics, but they were the republics of a few freemen and subjects and many slaves; and 'the battle of Marathon was fought by slaves, unchained from the doorposts of their masters' houses.' Italy had her republics: they were the republics of wealth and skill and family, limited and aristocratic. The Swiss republics were groups of cousins. Holland had her republic, — a republic of guilds and landholders, trusting the helm of state to property and education. And all these, which, at their best, held but a million or two within their narrow limits, have gone down in the ocean of time." Representative Phi Beta Kappa Orations, edited by Clark S. Northup; William C. Lane; John C. Schwab (1915): The Scholar in a Republic by Wendell Phillips, p. 195.

p. 3, n. 1: American Citizenship by David J. Brewer (1914), p. 15, quoting from Webster's Bunker Hill Oration, 1825. In this connection the following is in point from Hugh McCulloch, our Secretary of the Treasury, in his Men and Measures of Half a Century (1888), pp. 446, 447: "Great Britain may become a republic, but it will not be until it is proven by the experiment in the United States that the people are not only capable of self-government, but that they are freer and happier under a republic than they can be under a limited and constitutional monarchy. In all the governments of which there is a history, republics have been exceptional and brief in their existence; the inference from which is, that monarchy in some form

or other has been a necessity. If the experiment in the United States (for it cannot be claimed that it is anything more than an experiment — a hundred years being quite insufficient to test the strength and stability of republican institutions in a country so vast, so new, and with resources so enormous, and into which the surplus population of all other nations is steadily flowing); if the experiment should be a failure in the United States, centuries will doubtless come and go before it is tried again on a large scale."

p. 3, n. 2: See The Essential American Tradition, Compiled by Jesse Lee Bennett (1925): Centennial Oration on Washington by Daniel Webster, p. 301.

p. 3, n. 3: Popular Government by Sir Henry Maine (1885), pp. 20, 87 and his Preface, p. x.

p. 3, n. 4: Essay on "Politics" by Ralph Waldo Emerson.

p. 4, n. 1: The United States and Canada by George M. Wrong (1921), p. 58.

p. 4, n. 2: Democracy and Liberty by William E. H. Lecky, Zaehnsdorf edition (1878), p. 212. Albert Bushnell Hart says: "That ruin is the future portion of American democracy, that its cherished ideals doom it to failure, has been the belief of many observers. Even Tocqueville, who argued that some republics might endure, regretfully predicted that democracy 'will in the end set all the guarantees of representative government at nought.' Edward A. Freeman in 1863 wrote a book on federal government which came down to 'the disruption of the United States.' Sir Henry Sumner Maine, in 1880, after proving to his own satisfaction that American government was a kind of plagiarism of English government, went on to deplore its downfall. Mr. Lecky, a more genial spirit, was nevertheless convinced that democracy had not established itself anywhere as a permanent form of government." Representative Phi Beta Kappa Orations, edited by Clark S. Northup; William C. Lane; John C. Schwab (1915): The Hope of Democracy by Albert Bushnell Hart, p. 369.

p. 5, n. 1: Conditions of National Success by Hugh Taylor (1924), pp. 138, 139; 207, 208.

p. 5, n. 2: The Passing of Politics by William Kay Wallace (1924), p. 18. Another English writer, F. S. Oliver, in a biography of Alexander Hamilton (1906), speaks of the American Constitution as follows (p. 445): "The Constitution has now been on trial for upwards of a century, and it can hardly be imagined that any reflective citizen of the United States would seriously propose it as a model for another nation which found itself confronted by a similar emergency. Its weaknesses in certain directions have been constantly made clear, while in others its very strength seems to be a danger

no less formidable. Its powers for resistance to all reforms, sane or insane, is a lesson even more of what should be avoided than of what should be copied." Mr. Oliver evidently thinks he knows all about how Americans look upon their own Constitution. The ignorance of this class of writers is equaled only by their impudence. Captain Marryat wrote popular novels for boys but nothing more novel than his opinion of America after his tour in 1837. He wrote of the United States: "From purity of manners, her moral code has sunk below that of most other nations. She has attempted to govern herself — she is dictated to by the worst of tyrannies. She has planted the tree of liberty; instead of its flourishing, she has neither freedom of speech nor of action. She has railed against the vices of monarchical forms of government, and every vice against which she has raised up her voice, is still more prevalent under her own. She has cried out against corruption — she is still more corrupt: against bribery — her people are to be bought and sold; against tyranny — she is in fetters. She has proved to the world that, with every advantage on her side, the attempt at a republic has been a miserable failure, and that the time is not yet come when mankind can govern themselves. Will it ever come? In my opinion, never! Although the horizon may be clear at present, yet I consider that the prospect of the United States is any thing but cheering. It is true that for a time the States may hold together, that they may each year rapidly increase in prosperity and power, but each year will also add to their demoralisation and to their danger. It is impossible to say from what quarter of the compass the clouds may first rise, or which of the several dangers that threaten them they will have first to meet and oppose by their energies. At present, the people, or majority, have an undue power, which will yearly increase, and their despotism will be more severe in proportion. If they sell their birthright (which they will not do until the population is much increased, and the higher classes are sufficiently wealthy to purchase, although their freedom will be lost) they will have a better chance of happiness and social order. But a protracted war would be the most fatal to their institutions, as it would, in all probability, end in the dismemberment of the Union, and the wresting of their power from the people by the bayonets of a dictator." Marryat's Diary in America (2nd Series, 1840), p. 182.

p. 6, n. 1: The Underlying Principles of Modern Legislation by W. Jethro Brown (1920), pp. 314, 319.

p. 6, n. 2: American Social History as recorded by British Travellers. Compiled and edited by Allan Nevins (1923): American Civilization in 1883–84 by Matthew Arnold, p. 517. Hamerton quotes Matthew Arnold as follows in regard to aristocracy: "Aristocracy now sets up in our country

a false ideal, which materializes our upper class, vulgarizes our middle class, brutalizes our lower class. It misleads the young, makes the worldly more worldly, the limited more limited, the stationary more stationary." Hamerton then proceeds to say: "These evils are due to the transformation of the English aristocracy into a plutocracy that is not, as in America, a plainly avowed plutocracy, but disguises itself in aristocratic costumes. The distinction of a true aristocracy is that it is *not* a plutocracy, but a noble caste, including poor members as well as rich, and having certain ideals which, however foreign they may be to the spirit of the present age, did certainly, in their own time, tend to lift men and women above vulgarity. The most ennobling of those ideals was the notion that money was not the highest object of pursuit. The poor gentleman could be contented with ill-paid service in the army or the Church, because he did not serve for money; and it was believed within the caste, rightly or wrongly, that to labor for pecuniary rewards as the main object had a degrading effect upon the mind. The army was a chosen profession, because it was the school of courage, obedience, and self-sacrifice; the Church, because it was the school of piety and morality, as well as the home of learning. I know that I am describing a narrow ideal but most ideals that have had any power in the world have been narrow, and I am anxious to show how in the old aristocratic prejudices there were elements of real nobleness, which may have given them dignity and vitality. . . . This aristocracy was selfish, but its selfishness was of a high kind. It was not given up either to avarice or to self-indulgence, but it valued what is best in life." French and English, a Comparison by Philip Gilbert Hamerton (1889), pp. 334, 335.

p. 6, n. 3: Addresses in America (1919): Address on American and Briton, by John Galsworthy, pp. 37, 38.

p. 6, n. 4: The Study of American History by Viscount James Bryce (1922), p. 76.

p. 7, n. 1: Constructive Citizenship by L. P. Jacks (1926), pp. 86, 87.

p. 8, n. 1: Problems of Modern Democracy (1907): Essay on Aristocratic Opinions of Democracy by Edwin Lawrence Godkin, pp. 7, 8. Although Godkin in his later years became somewhat pessimistic, yet on the whole he believed in democracy. See Edwin Lawrence Godkin in Historical Essays by James Ford Rhodes (1909), pp. 267–297.

p. 8, n. 2: Quoted in Essay on "Power" by Ralph Waldo Emerson.

p. 8, n. 3: Problems of Modern Democracy (1907): Essay on Aristocratic Opinions of Democracy by Edwin Lawrence Godkin, p. 63.

p. 8, n. 4: Essay on "Politics" by Ralph Waldo Emerson. Wendell Phillips with his vivid imagination embellishes this saying of Fisher Ames as

follows: "Accept proudly the analysis of Fisher Ames: 'A monarchy is a man-of-war, stanch, iron-ribbed, and resistless when under full sail; yet a single hidden rock sends her to the bottom. Our republic is a raft, hard to steer, and your feet always wet but nothing can sink her.'" Representative Phi Beta Kappa Orations, edited by Clark S. Northup; William C. Lane; John C. Schwab (1915): The Scholar in a Republic by Wendell Phillips, p. 214.

p. 8, n. 5: The American Commonwealth by Viscount James Bryce (1909), pp. 563–580. Bryce in his "American Commonwealth" reviews "the supposed faults of democracy." Those faults and a summary of his ideas in regard thereto are as follows:

(1) "Weakness in emergencies, incapacity to act with promptitude and decision." Bryce's comment is that America is long-suffering and slow in rousing itself; often perplexed by problems and gropes blindly for a solution. In 1812 and 1861 the nation showed its vigor and power and courage, however.

(2) "Fickleness and instability, frequent changes of opinion, consequent changes in the conduct of affairs and in executive officials." Bryce's comment is that it is true some states have tried innovations and wild experiments, but "taking the nation as a whole, its character is marked by tenacity of beliefs and adherence to leaders once chosen." For illustration: the farmer has to pay high prices for clothes and implements, but still believes in a protective tariff. Congressmen and officials are frequently changed, but because the "interests of a class are involved, not from any fickleness in the people."

(3) "Insubordination, internal dissensions, disregard of authority, with a frequent resort to violence, bringing on an anarchy which ends in military tyranny." Bryce's comment is "On this head the evidence is more conflicting." Bryce discusses homicide; lynching; strike riots; laws systematically evaded, etc. Then he says: "Caesarism is the last danger likely to menace America. In no nation is civil order more stable."

(4) "A desire to level down, and an intolerance of greatness." Bryce's comment is "There was probably good ground for it sixty years ago. . . . Intellectual eminence excites no jealousy. . . . The men who make great fortunes . . . are not regarded with suspicion or envy, but rather with admiration."

(5) "Tyranny of the majority over the minority." Bryce's comment is "So far as compulsive legislation goes, it has never been, and is now less than ever, a serious or widespread evil." The press is free; religions are untouched by law; class hatreds are absent.

(6) "A love of novelty: a passion for changing customs and destroying the old institutions." Bryce's comment is that Americans "love novelty in the sphere of amusement, literature, and social life; but in serious matters, such as the fundamental institutions of government and in religious belief, no progressive and civilized people is more conservative."

(7) "Ignorance and folly, producing a liability to be deceived and misled; consequent growth of demagogues playing on the passions and selfishness of the masses." Bryce's comment is "Demagogism is no more abundant in America than in England, France or Italy."

Bryce comes to the conclusion that of the above "supposed faults" only one is "fairly chargeable" to the United States, namely, "the disposition to be lax in enforcing laws disliked by any large part of the population, to tolerate breaches of public order, and to be too indulgent to offenders generally. The Americans themselves admit this to be one of their weak points."

Then Bryce in a separate chapter, pp. 581–593, sets forth what he considers "The True Faults of American Democracy":

"First, a certain commonness of mind and tone, a want of dignity and elevation in and about the conduct of public affairs, an insensibility to the nobler aspects and finer responsibilities of national life.

"Secondly, a certain apathy among the luxurious classes and fastidious minds, who find themselves of no more account than the ordinary voter, and are disgusted by the superficial vulgarities of public life.

"Thirdly, a want of knowledge, tact, and judgment in the details of legislation, as well as in administration, with an inadequate recognition of the difficulty of these kinds of work, and of the worth of special experience and skill in dealing with them.

"Fourthly, laxity in the management of public business."

William Kay Wallace, a recent English writer in his "The Passing of Politics," p. 191, note 1 (1924), summarizes Bryce's views as stated by Bryce in his "Modern Democracies" as follows: "He enumerates the services democracy in his opinion has, or has not, rendered, as follows:

"I. It has maintained public order while securing the liberty of the individual citizen.

"II. It has given a civil administration as efficient as other forms of government have provided.

"III. Its legislature has been more generally directed to the welfare of the poorer classes than has been that of other governments.

"IV. It has not been inconstant or ungrateful.

"V. It has not weakened patriotism or courage.

"VI. It has been often wasteful and usually extravagant.

"VII. It has not produced general contentment in each nation.

"VIII. It has done little to improve international relations and ensure peace; has not diminished class selfishness (witness Australia and New Zealand); has not fostered a cosmopolitan humanitarianism nor mitigated the dislike of men of different colour.

"IX. It has not extinguished corruption and the malign influences wealth can exert upon government.

"X. It has not removed the fear of revolutions.

"XI. It has not enlisted in the service of the State a sufficient number of the most honest and capable citizens.

"XII. Nevertheless it has, taken all in all, given better practical results than either the Rule of One Man or the Rule of a Class, for it has at least extinguished many of the evils by which they were defaced."

Bertrand Russell, the English writer and philosopher, in a joint debate in New York City, October 22, 1927, defended democracy as follows: "Democracy has certain very great merits which to my mind make it well worth preserving. It is, in the first place, the educational merit, and that educational merit is an enormous one. Do you suppose that if in this country you had a government of the best people, and by the best people — I mean the 5 per cent who have the most money, because this is what is and will always be in practice — well, I say, do you suppose if you had a government of that sort there would be anything like the money spent upon education that is now spent upon it? The second great merit is that it prevents certain forms of gross cruelties. In all the cases that history has ever shown us at the present day, where one set of men has the power to govern another set of men, those who will have power will exert the grossest cruelty they use. If you are going to have people with self-respect, who are not viewed with contempt, you must endow them with their share of power. There is a third reason which I think in the present state of the European world is very visible and obvious, and that is that democracy, when you can get it established in my country and your country, makes a more stable form of government and more easy to put up bulwarks against civil war and strife than any other form of government. In any other form of government, the minority has the power and in this case if there was an appeal to force, the force would not be found on the side of government. In undemocratic countries you get insurrections, revolutions, all sorts of change of government by violent means, and the only way I know of to prevent a change of government by violent means is to have a rule that the majority shall have

the law-making power, because then if you do have an appeal to force then the victory would go to the constituted authorities."

If anyone wants to know how much harm a practically absolute king may do his country, Trevelyan's American Revolution will tell him; if anyone doubts that George III deprived England of America that history will convince him. It has been well said that Chatham found England an island and left it an empire; George III found it an empire and left it an island.

Horace Mann in an address in Boston, July 4, 1842, said: "If asked the broad question, whether man *is* capable of self-government, I must answer it conditionally. If by man, in the inquiry, is meant the Feejee Islanders; or the convicts at Botany Bay; or the people of Mexico and of some of the South American Republics, (so called;) or those as a class, in our own country, who can neither read nor write; or those who can read and write, and who possess talents and an education by force of which they get treasury, or post-office, or bank appointments, and then abscond with all the money they can steal; — I answer unhesitatingly that *man*, or rather *such men*, are not fit for self-government. Fatuity and guilt are no more certain to ruin an individual, or a family over which they preside, than they are to destroy a government, into whose rule they enter. Politics have been beautifully defined to be *the art of making a people happy*. Such men have no such art; but, with power in their hands, they would draw down personal, and dispense universal misery. . . . I rejoice that power has passed irrevocably into the hands of the people, although I know it has brought imminent peril upon all public and private interests, and placed what is common and what is sacred alike in jeopardy. Century after century, mankind had groaned beneath unutterable oppressions. To pamper a few with luxuries, races had been subjected to bondage. To satiate the ambition of a tyrant, nations had been dashed against each other in battle, and millions crushed by the shock. The upward-tending, light-seeking capacities of the soul had been turned downwards into darkness and debasement. All the realms of futurity which the far-seeing eye of the mind could penetrate, had been peopled with the spectres of superstition. The spirits of the infernal world had been subsidized, to bind all religious freedom, whether of thought or speech, in the bondage of fear. Heaven had been sold, for money, like an earthly domicile, by those who, least of all had any title to its mansions. In this exigency, it was the expedient of Providence, to transfer dominion from the few to the many, — from those who had abused it, to those who had suffered. The wealthy, the high-born, the privileged, had had it in their power to bless the people; but they had cursed them. Now, they and all their fortunes are in the hands of the people. The poverty which they

have entailed is to command their opulence. The ignorance they have suffered to abound, is to adjudicate upon their rights. The appetites they have neglected, or which they have stimulated for their own indulgence, are to invade the sanctuary of their homes. In fine, that interest and concern for the welfare of inferiors, which should have sprung from motives of philanthropy, must now be extorted from motives of self-preservation." Orations collected by Brooklyn Public Library, pp. 24, 53, 54.

p. 9, n. 1: Ethical Democracy — Essays in Social Dynamics — Edited by Stanton Coit (1900): Essay on The Dynamics of Democracy by Stanton Coit, p. 338. Professor Hearnshaw (English) says in his Democracy at the Crossways (1918), p. 70: "I prefer to maintain the cause of popular sovereignty by contending (1) that, if democracy has grave defects, so also have all other forms of state; all other forms of human organisation of all sorts whatsoever; and also all forms of anarchy; (2) that the specific defects of democracy are those of youth, that (in Professor MacCunn's words) democracy is 'raw to its work,' and hence that its worst failings are due to immaturity and are likely to be overcome by experience; and (3) that, even in its present imperfect state of development, democracy has a supreme ethical and educational value which places it far above all other forms of state or no-state whatsoever."

p. 10, n. 1: Autobiography of Seventy Years by George F. Hoar (1903), Vol. 1, pp. 4, 5.

p. 10, n. 2: Essay on "Success" by Ralph Waldo Emerson.

p. 10, n. 3: See The United States by Carl Becker (1920), p. 205. A slightly different wording is found in the Life of John Bright by George Macaulay Trevelyan (1913), p. 307.

p. 11, n. 1: A Cycle of Adams Letters, edited by Worthington C. Ford (1920), Vol. 1, p. 221.

p. 11, n. 2: Earth-Hunger and Other Essays (1913): Essay on Some Points in the New Social Creed by William Graham Sumner, pp. 208, 209. A later book by Sumner and Keller goes farther and says: "The people of the United States have been living in a state of underpopulation. Few of them have known anything about it. It is the explanation of their power, wealth, prosperity, liberty, democracy, and all the other happy circumstances which they generally attribute to their institutions, and often solely to their political system or even to some party in power. The institutions are a consequence, not a cause." The Science of Society by William Graham Sumner and Albert Galloway Keller (1927), Vol. 1, § 44, p. 85. There is much truth in this but the character of the men who came here and the men born here has been of more importance than "underpopulation." The

American Indians were decidedly underpopulated and what did they make of America?

Morley said: "A learned American judge found three great instruments in human history — the Ten Commandments, the Sermon on the Mount, and the Declaration of American Independence. This was perhaps no more than a flash of *obiter dictum*, and undoubtedly the bench exposed surface to a telling cross-examination. Yet after all Mount Sinai, the Mount in Galilee, and State-House Yard in Philadelphia hold commanding stations in the courses of the sun." Notes on Politics and History by Viscount Morley (1914), p. 33.

p. 11, n. 3: The Meaning of Democracy by Ivor J. C. Brown (1920), p. 146.

p. 11, n. 4: *Id.*, p. 103.

p. 13, n. 1: Address on History of Freedom in Christianity (1877), republished in History of Freedom and Other Essays by John E. Acton (1907), pp. 55, 56.

p. 14, n. 1: Locksley Hall by Alfred Tennyson.

p. 14, n. 2: American Citizenship by David J. Brewer (1914), p. 84.

p. 15, n. 1: Life of Albert Gallatin by Henry Adams (1880), p. 560.

p. 15, n. 2: History of the United States by Henry Adams (1889–1917), Vol. 9, pp. 220, 221.

p. 15, n. 3: The Power of Ideals in American History by Ephraim D. Adams (1913), p. 6.

p. 15, n. 4: Morison says: "Time only could reveal the full import of Webster's reply to Hayne; but it went home instantly to the honest old patriot in the White House. Jackson counted himself a State-rights man, but he never doubted the sovereignty of the nation. State rights for him was merely a formula to prevent the jobbery and corruption and consolidation towards which Adams and Clay seemed to be tending. It could never justify disobedience to the laws of the Union. Yet Calhoun and the nullification party counted upon his sympathy, as a Carolinian born; and at an anniversary dinner that they arranged for Jefferson's birthday, 15 April 1830, they proposed to enlist him in their cause. The formal toasts and speeches were all so worded as to prove a connexion between nullification and Democratic-Republican orthodoxy. Jackson sat through them outwardly impassive, inwardly fuming. When his turn came for a volunteer toast, the old chieftain arose to his full height, fixed his eyes on Calhoun, and flung out a challenge:

'Our Union — it must be preserved!'

Calhoun was no coward. He may, as Van Buren asserts, have drunk the toast with trembling hand, but he took up the challenge with another:

'The Union — next to our liberty, the most dear!'" Oxford History of the United States by S. E. Morison (1927), Vol. I, p. 395.

This sounded brave but Calhoun's "monument, as Walt Whitman heard a soldier say in 1865, was the ruined South, a generation of young men destroyed, society torn up by the roots, and slaves become masters." *Id.*, Vol. II, p. 104.

p. 15, n. 5: American Secretaries of State and Their Diplomacy, edited by Samuel Flagg Bemis (1928): Edward Livingston by Francis Rawle, Vol. 4, p. 259.

p. 15, n. 6: Judge Baldwin says: "Among the constitutional governments now existing in the world, the United States rank as the oldest but one. It is, indeed, fairly open to question if our place is not the first. Great Britain, since our Constitution was adopted, by her union with Ireland and the introduction of a hundred Irish members into her House of Commons, followed by the Reform Bill and the recent Franchise Acts, has essentially changed the character of that body, and transformed a monarchy into a representative democracy." Modern Political Institutions by Simeon E. Baldwin (1898), p. 83.

p. 16, n. 1: "The Confederation government [1777 to 1788] was seriously defective. There was no national executive and no judiciary. All authority was concentrated in a one-chambered congress, the delegates to which were entirely under the control of the state legislatures which chose them. The central government had no real authority or power. Its congress could reach the individual only through the action of the state governments, and these it could not coerce. The Confederation government managed to carry the states through the last two years of the war, and then declined rapidly in power and influence. The Congress could not force the states to cooperate with one another in matters of national interest. The inability of the central government, either to pay the interest on the national debt or to force the states to observe treaties which we made with foreign powers, cost us the respect of Europe. 'We were bullied by England,' writes John Fiske of this period, 'insulted by France, and looked askance at in Holland.' The defects of the Articles could not be remedied, for amendment was by unanimous consent only, and on every occasion that an amendment was proposed, one or more states refused their assent." Problems in American Democracy by Thames Ross Williamson (1922), pp. 411, 412.

p. 17, n. 1: The Forgotten Man and Other Essays (1918): Essay on The Forgotten Man by William Graham Sumner, p. 472.

p. 17, n. 2: The Future of Trades-Unionism and Capitalism in a Democracy by Charles W. Eliot (1910), p. 114. President Hibben of Princeton

says: "In the colonial period, and for many years after the founding of the republic, the environment was largely that of open spaces; and the end of government was to safeguard the liberty of the individual, and at the same time so to restrict his freedom that it might not interfere with the like liberty of another individual. In the increased complexity of our modern life the relation to be safeguarded is not only that of an individual to other individuals here and there in the community, but the more involved relation that obtains between the individual and society at large." Self-Legislated Obligations (The Godkin Lectures, 1927) by John Grier Hibben: Lecture on Society and the Individual, pp. 4, 5. True, but the danger of that is the tendency towards socialism.

p. 19, n. 1: Popular Government by William Howard Taft (1913), pp. 67, 68. The quotation from Acton is found in the essay on May's Democracy in Europe (1878) republished in History of Freedom by John E. Acton (1907), pp. 84, 85.

p. 19, n. 2: University and Historical Addresses by James Bryce (1913): Address on The Constitution of the United States, delivered December 14, 1912, p. 411.

p. 19, n. 3: Men and Measures of Half a Century by Hugh McCulloch (1888), p. 456.

p. 20, n. 1: Gleanings of Past Years by William E. Gladstone (1878), Vol. 1, Ch. VIII, p. 212.

p. 20, n. 2: The Study of American History by Viscount James Bryce (1922), pp. 52, 53.

p. 20, n. 3: Lord Brougham, speaking of the American Constitution, said (See Historical and Patriotic Addresses, edited by Frederick Saunders [1893]: Oration on Elements of Our Prosperity by S. H. Carpenter, July 4th, 1876, p. 781): "The regulation of such a union upon pre-established principles, the formation of a system of government and legislation in which the different subjects shall not be individuals, but States, the application of legislative principles of such a body of States, and the devising means for keeping its integrity as a Federacy, while the rights and powers of the individual States are maintained entire, is the very greatest refinement in social policy to which any state of circumstances has ever given rise, or to which any age has ever given birth." Professor Hart of Harvard has said "The federal Convention of 1787 was the ablest body of men ever gathered in the United States. It looked backward and forward, for it included some of the signers of the Declaration and some of the later magnates of the nation." See United States Citizenship by George Preston Mains (1921), p. 143, quoting from National Ideals Historically Traced by Albert Bushnell Hart

(1907), pp. 257, 258. Lord Chatham in the House of Lords in 1775 said of the Continental Congress which later in 1776 promulgated the Declaration of Independence, "When your lordships look at the papers transmitted us from America; when you consider their decency, firmness, and wisdom, you cannot but respect their cause, and wish to make it your own. For myself, I must declare and avow, that in all my reading and observation — and it has been my favourite study — I have read Thucydides, and have studied and admired the master-states of the world — that for solidity of reasoning, force of sagacity, and wisdom of conclusion, under such a complication of difficult circumstances, no nation or body of men can stand in preference to the general Congress at Philadelphia." George III and the American Revolution by Frank Arthur Mumby (1923), pp. 373, 374. See also Washington and Lincoln by Robert W. McLaughlin (1912), p. 49, quoting from Hansard's Debates, Vol. xviii, p. 155; also Life of William Pitt, Earl of Chatham by Basil Williams (1913), Vol. 2, p. 305. And Professor Beard in his Supreme Court and the Constitution (1926) says (pp. 86–88): "It was a truly remarkable assembly of men that gathered in Philadelphia on May 14, 1787, to undertake the work of reconstructing the American system of government. It is not merely patriotic pride that compels one to assert that never in the history of assemblies has there been a convention of men richer in political experience and in practical knowledge, or endowed with a profounder insight into the springs of human action and the intimate essence of government. It is indeed an astounding fact that at one time so many men skilled in statecraft could be found on the very frontiers of civilization among a population numbering about four million whites. It is no less a cause of admiration that their instrument of government should have survived the trials and crises of a century that saw the wreck of more than a score of paper constitutions. All the members had had a practical training in politics. Washington, as commander-in-chief of the revolutionary forces, had learned well the lessons and problems of war, and mastered successfully the no less difficult problems of administration. The two Morrises had distinguished themselves in grappling with financial questions as trying and perplexing as any which statesmen had ever been compelled to face. Seven of the delegates had gained political wisdom as governors of their native states; and no less than twenty-eight had served in Congress either during the Revolution or under the Articles of Confederation. There were men trained in the law, versed in finance, skilled in administration, and learned in the political philosophy of their own and all earlier times. Moreover, they were men destined to continue public service under the government which they had met to construct — Presidents, Vice-Presidents, heads of

departments, justices of the Supreme Court were in that imposing body. They were equal to the great task of constructing a national system strong enough to defend the country on land and sea, pay every dollar of the lawful debt, and afford sufficient guarantees to the rights of private property. The radicals, however, like Patrick Henry, Jefferson, and Samuel Adams, were conspicuous by their absence from the convention." The Rise of American Civilization by Charles A. and Mary R. Beard (1927) says (Vol. 1, p. 310): "Among the many historic assemblies which have wrought revolutions in the affairs of mankind, it seems safe to say that there has never been one that commanded more political talent, practical experience, and sound substance than the Philadelphia convention of 1787." Morison says: "Sir Henry Maine's dictum that the American Constitution 'is a modified version of the British Constitution,' and Lord Bryce's suggestion that it was imitated from the British Constitution as described in Blackstone's Commentaries, will not stand historical analysis. Practically every feature of the Federal Constitution was ultimately of English origin, in the same sense that the British Constitution is of Norman and Germanic origin; but there is hardly a clause in it which cannot be traced to state constitutions, or to colonial practice. Theories that the Federal Constitution was of Dutch origin, or inspired by one Pelatiah Webster, or written by Hamilton or Pinckney, or indeed 'struck off' by any one person, may be dismissed as fantastic." Oxford History of the United States by S. E. Morison (1927), Vol. 1, p. 91, note. Egerton, an English writer, says, "from the ruins of the past, the same men who had won independence built up a stately constitutional fabric that has stood the test of time; and in spite of a few defects, that are, perhaps, the inevitable outcome of its strong points, has solved the problem of federal government in a manner that has no parallel in the history of man." The Causes and Character of the American Revolution by H. E. Egerton (1923), Preface, vi.

p. 20, n. 4: Constitutional Law by Thomas M. Cooley (1880), pp. 22, 23.

p. 20, n. 5: Encyclopædia Britannica, 11th ed. (1911), Vol. 17, p. 858.

p. 20, n. 6: Autobiography of Seventy Years by George F. Hoar (1903), Vol. II, p. 241.

p. 20, n. 7: Genesis of the Constitution of the United States of America by Breckinridge Long (1926), p. 4.

p. 22, n. 1: Constitutional Law by Thomas M. Cooley (1880), p. 23. It was under Judge Cooley that the author of this book studied law and it was to his character as much as his profound knowledge of law that the author feels a deep indebtedness. The judge when a practicing lawyer at the bar had been the attorney for the author's father, and the latter believed with

the general public that no greater judge ever sat upon the bench of the Supreme Court of Michigan.

p. 22, n. 2: *Id.*, p. 213.

p. 22, n. 3: An English historian in speaking of the Ætolian League in Greece about 314 B.C. says "the most remarkable feature in its constitution was the Council, for the composition of which the principle of representation was for the first time recognized, each town sending representatives to its meetings." A History of the Greek and Roman World by G. B. Grundy (1925), p. 333. And Strabo states that in the Lycian federation of about 188 B.C. twenty-three Greek cities were represented according to size by one, two or three delegates. See Encyclopædia Britannica, 11th ed., vol. 10, p. 234. Lord Acton, the English historian, says that classical literature does not contain any reference to "representative government. . . . There were, it is true, deliberative assemblies, chosen by the people; and confederate cities, of which, both in Asia and Africa, there were so many leagues, sent their delegates to sit in Federal Councils. But government by an elected Parliament was even in theory a thing unknown." Essay on History of Freedom in Antiquity (1877), republished in History of Freedom and Other Essays by John E. Acton (1907), pp. 25, 26. Glover in describing the Achaean League of ancient origin, but not prominent until about 368 B.C., says: "It has been debated whether the assembly was a primary or a representative body; but definite and distinctive representative government was hardly yet familiar enough to be practicable. It seems that any citizen of any federated state was entitled to attend the assembly if he was thirty years of age. The ancient world knew two types of assembly — the Athenian, where every qualified citizen from any part of the country might come and speak and vote as an individual member of the assembly, and where, as a result, a majority of those present and voting decided the issue, and the Roman, where (to take the *tributa*) every citizen voted in his tribe, and a majority of tribes carried or rejected the proposition offered to them, but without discussion, on the spot. The Achaean assembly was a federal body, and the members of the federation were cities; there was, as we have guessed from the scene described, free discussion which might continue for three days — the period of the two annual meetings; but the voting was by cities, however this was managed, and resolutions were taken as the majority of cities enacted. . . . It seems generally agreed, though it has indeed been disputed, that the Achaean League had a council which met more frequently, perhaps every month. It is not clear — and it does not greatly matter — how it was constituted. Something of the kind there had to be. There were also magistrates possessed of real power. At first the Achaeans had

two 'Generals'; but some twenty-five years after the reconstruction of the League 'they decided to elect one *Strategos* and entrust him with the general direction of their affairs.' . . . They also elected a *Hypostrategos*, a Secretary, and a Commander of Cavalry. Ten *Damiorgoi* had the formal presidency of the assembly, and formed a sort of cabinet with the magistrates, though in war the General could, properly, act without them. All these officers, it appears, were unsalaried. . . . If Greek carelessness of law, if Greek individuality and the old and fatal passion of autonomy, wrecked the League before ever it succumbed to Rome, once more the Greeks were the world's pioneers — the costliest role that Nature assigns to men, and surely the noblest." Democracy in the Ancient World by T. R. Glover (1927), pp. 142–144, 146. The Achaean League failed because it could not compel efficient armies and levy taxes and control disaffected members. It was a confederation like the American government in the Revolution, and not a federal government like the American Constitution of 1787.

As to the representative principle in the Christian era Weale says: "As is well known, the Councils of the Christian Church had by the sixth century introduced a perfect system of representation, so that the delegates from the most remote dioceses in Europe and Asia Minor met regularly together to order their affairs. As early as the year 325 that famous ecumenical council which promulgated the Nicene Creed had met at Nicaea for the specific purpose of settling matters arising out of the Arian controversy; and this disciplinary measure of the Church gained for it great renown. The barbarian nations, as they accepted Christianity, accepted those methods of Christianity of which they had previously been ignorant; and amongst these methods this system of delegates is politically the most noticeable feature. But though there was this powerful example — though all credit is due to the Church for the historic role it has played — representative government would have never been so early possible in European countries and individualism so powerful a force, had not the rude rural aristocracy soon found it necessary to safeguard their scattered possessions by establishing an entirely new principle. That principle was primogeniture." The Conflict of Colour by B. L. Putnam Weale (1910), General Introduction, pp. 29, 30.

p. 22, n. 4: Constitutional Law by Thomas M. Cooley (1880), p. 41.

p. 23, n. 1: See The Senate of the United States and Other Essays by Henry Cabot Lodge (1921), p. 16.

p. 23, n. 2: Constitutional Law by Thomas M. Cooley (1880), p. 160.

p. 23, n. 3: Development of European Polity by Henry Sidgwick (1903), p. 114.

p. 23, n. 4: *Id.*, p. 115.

p. 24, n. 1: The Foundations of the Modern Commonwealth by Arthur N. Holcombe (1923), p. 1.

p. 25, n. 1: Revolutionary New England by James Truslow Adams (1926) — Introductory, p. 7.

p. 25, n. 2: The Emancipation of Massachusetts — the Dream and the Reality — by Brooks Adams (Revised and Enlarged Edition — 1919), Preface, p. 139.

p. 25, n. 3: A statement of the property qualifications of voters in the different colonies at the time of the Revolution and also the qualifications in subsequently admitted states is found in Minor *v.* Happersett, 21 Wall 162 (1874). Complete data on this subject will be found in Porter on Suffrage in the United States (1918). See also With the Fathers by John B. McMaster (1896), p. 72, and The Acquisition of Political, Social and Industrial Rights of Man in America by John B. McMaster (1903), pp. 17–21. Chief Justice Taft summarizes the qualifications as follows in his Popular Government (1913), pp. 12, 13: "In New Hampshire the voter had to be a Protestant and a tax-payer. In Massachusetts he had to be possessed of an income from a freehold estate of £3 a year, or to own a personal estate worth £60. In Connecticut he was obliged to have an annual income of $7 from a freehold estate, or real estate rated on the tax list as worth $134. In New York he was required to have a freehold estate of £30, or a house rent of 40s. In New Jersey any person, male or female, black or white, native or alien, was permitted to vote, if only he or she owned real estate worth £50. In Maryland the voter had to have in the county in which he wished to vote a freehold of £50, or personal property of £30. In Virginia the voter had to own twenty-five acres of land of cultivated property, and a house at least twelve feet square on the foundation, or he had to have fifty acres of wild land, or a freehold or estate interest in a lot in some of the towns established by law. In North Carolina the voter had to be a tax-payer. In South Carolina the voter had to be a free white man, acknowledging belief in God and in a future state of reward and punishment, and had to live one year in the state, have a freehold of fifty acres, or own a town lot, or have paid a tax equal to the tax on fifty acres of land. In Georgia any mechanic, any male white inhabitant owning £10 of property and paying a tax not only might vote but had to vote, under penalty of £5." Cruikshank says a property qualification was established "in Massachusetts, New Hampshire and Connecticut in 1630; in Rhode Island in 1658; in New Jersey in 1665 and North Carolina in 1663; in Maryland and in Virginia in 1670; in Pennsylvania in 1682; in South Carolina in 1692; in New York about

1701; in Delaware 1734; and in Georgia in 1761. In five colonies, namely, Massachusetts, Connecticut, Maryland, Delaware and Pennsylvania, the property held might be either real or personal; in all the others it was required to be land. Some American theorists at the time of the Revolution held a belief or a half belief in manhood suffrage but they were few in number." Popular Misgovernment in the United States by Alfred B. Cruikshank (1920), p. 33. Professor Robinson in his Evolution of American Political Parties (1924), pp. 18, 19 says: "But as the early settlements broadened into colonies, a comparatively few men had an active part in this self-government of the colony. This, too, was a heritage of English practice. In Massachusetts the original group of voters in the company, whose trading charter was used as a basis for government in the colony, was, it is true, increased by the admission of additional freemen, but in 1658 a property qualification was imposed. Indeed, from the first, property qualifications were general throughout the colonies, and in the eighteenth century they were universal. In New York it has been estimated that fully one half of the male population above the age of twenty-one was without any political privilege whatever, and at the close of the century in that colony only two thousand voters were recorded as voting. In Virginia, the colony in which met in 1619, the first representative assembly to be held in America, there participated in the middle of the eighteenth century only nine per cent of the white male population. In the colonial governments of New England the proportion was even smaller. . . . It is to be remembered that in 1763 a majority of all the members of the House of Commons was elected by less than 15,000 persons. American practice might well seem to the enfranchised colonist as democratic by contrast."

p. 25, n. 4: Mr. L. F. Loree of New York calls my attention to the fact that New Jersey experimented with universal suffrage from 1776 to 1807 — 30 years. He is right and a remarkable experiment it was. Delegates to a "Provincial Congress" were elected by freeholders in May, 1776. This "Congress" or constitutional convention, as we now call it, met on June 10, 1776. Previous to all this, however, namely, early in 1775, a "Committee of Correspondence" had called a "Provincial Congress," which met May 23, 1775. War began and those not freeholders were needed and they complained of the restricted franchise. Hence, on February 16, 1776, the convention resolved that every adult person worth £50 be allowed to vote. Then came the newly elected constitutional convention. As Whitehead says, a constitution was probably prepared informally beforehand, because on June 24th a committee was appointed to draft a constitution and two days later they presented it, and on July 2nd it was adopted. It was never

submitted to popular vote but was so satisfactory that New Jersey lived under it for 68 years until 1844. Holcombe points out that Virginia, South Carolina, New York, New Hampshire, Delaware and Georgia adopted their original constitutions in substantially the same way. (See Holcombe on State Government in the United States — 1926 — pp. 42, 470.), and hence this New Jersey constitution was legally adopted. In fact, Farrand says that "with the exception of Massachusetts the new State Constitutions were never submitted to the people for approval." The Fathers of the Constitution by Max Farrand (1921), p. 46, being Vol. 13 of Chronicles of America. The gradual adoption of the plan that a constitution must be passed upon by popular vote is traced by James Schouler in Constitutional Studies (1897), pp. 211–219, and Schouler refers to the fact that lately some of the Southern States have gone back to the old method of establishing a constitution. Whitehead says the New Jersey constitution "had many excellent provisions and some most glaring defects. . . . The Legislature . . . has frequently overriden many of its most objectionable features, by mere statute. . . . It was a crude affair, but it . . . relieved the people and their legislature from many burdens."

Now that constitution provided that "all inhabitants" of full age and worth £50 and resident for a year should be entitled to vote. This of course included aliens, women married or single, colored or white, and vote they did, especially the Quakeresses. The legislature reenacted this constitutional provision in 1779, 1783, 1790 and 1797 and in the last two acts used the word "she," showing clearly the intent to allow the women to vote. But a shock came in 1807 when an election was held to determine whether Newark or Elizabeth should be the seat of a new court house. There was great excitement and great fraud and many voted twice under different names. Hatfield says, "It was charged that not a few of these [women, both white and colored] by change of dress, voted more than once; and this whether worth £50, or not." The legislature set the election aside and enacted a statute that thereafter in New Jersey only white male citizens of age and worth £50 could vote. So ended the experiment of woman suffrage in New Jersey, except that occasionally thereafter some officers of election claimed that the statute of 1807 was unconstitutional and void, and hence they allowed the women to vote. And they were right. The Supreme Court of New Jersey had held in 1780 (Holmes *v.* Walton, referred to in State *v.* Parkhurst, 9 N. J. L. 444 and 23 N. J. L. J. 164) that a statute in violation of the constitution was void. That was the first decision to that effect in either the state or federal courts and is good law. The act of 1807 attempted to justify itself constitutionally by saying that the statute was

"declaratory of the true sense and meaning of the constitution." This of course was only a subterfuge but by it New Jersey went back to conformity with the other states, chiefly probably on account of negroes and aliens voting under the constitution. It is elementary law that the legislative, judicial and executive departments of government, each for itself, judge of the constitutionality of a statute, but the judiciary has the final say and there is little doubt that in a test case the above statute would have been set aside as unconstitutional. See in general History of Elizabeth, New Jersey by Edwin F. Hatfield (1869), pp. 648–650. Collections of the New Jersey Historical Society: Vol. VII on The Constitution and Government of the Province and State of New Jersey from 1776 to 1845 by Lucius Q. C. Elmer (1872), pp. 28–30, 47–49; The Judicial and Civil History of New Jersey by John Whitehead (1897), pp. 300, 301. See also Women's Suffrage in New Jersey, 1790–1807, by Professor E. R. Turner of the U. of M. in Studies in History, Smith College (1916).

p. 26, n. 1: Quoted in Lincoln by Frederick Trevor Hill (1928), p. 250.

p. 27, n. 1: Arranged in the order of dates when a literacy test was enacted these 19 states are as follows: Massachusetts 1857; Wyoming 1889; Mississippi 1890; Maine 1892; California 1894; South Carolina 1895; Washington 1896; Connecticut 1897; Delaware 1897; Louisiana 1898 (or not less than $300 assessed property); Alabama 1900; North Carolina 1900; Virginia 1902; New Hampshire 1902; Georgia 1908; Oklahoma 1911; Arizona 1913; New York 1921; Oregon 1923. In Colorado (1876, in effect 1890), Idaho (1889) and North Dakota (1896), the Constitutions authorize the legislatures to provide a literacy test but no statutes have as yet been enacted. In Florida, Maryland, Tennessee and Texas the statutes practically provide that voters must be able to sign their names or mark their ballots. In preparing the above data the author has been aided by facts collected by William E. Hannan, Librarian of Legislative Reference Section, New York State Library at Albany, and his assistant, C. Eveleen Hathaway. An instructive article in the Forum for December, 1928, on "Intelligence Tests for Voters" by William B. Munro states that the New York system of having school officials apply the "literacy" test is by far the best system, and that nearly one-fifth of those who were subjected to the test in New York State in 1927 failed to meet it. And of course a great number did not apply because they could not read English.

p. 27, n. 2: Hugh McCulloch, Secretary of the Treasury under three administrations, wrote that "immense risk has been incurred — not by making the United States an asylum for the oppressed — not in opening the door for foreigners to become inhabitants under the protection of just and

equal laws, *but by inviting them to come and participate in the law-making and governing power.* The elective franchise, which ought to have been considered the most precious of all rights, has been freely bestowed upon those who have no knowledge of its value, and upon those who use it for other than patriotic purposes. It may now be too late, in the present condition of political parties, to change effectively our naturalization laws, but there might be a limitation upon the franchise in municipal elections, and it is very certain that this must be done if our large cities are to be properly governed, and sufficient safeguards are to be thrown around persons and property. Municipal governments should be created and conducted on business principles. No one should be a voter who is not the owner of property. The amount required need not be large, but it should be large enough to indicate that the voter has something at stake. Manhood suffrage in municipal elections is, to say the least, a dangerous experiment; a law that places upon an equality in voting the lazy vagabond and the enterprising wealth-producing citizen, is certainly neither just nor reasonable." Men and Measures of Half a Century by Hugh McCulloch (1888), pp. 530, 531.

p. 27, n. 3: See Ency. Brit. 11th ed. vol. 20, p. 841. The act of 1430 limited the voters to freeholders of 40s. resident in the county. Swift says of every freeman having a vote for members of Parliament until 1430: "This happy condition was to vanish. The downfall was started by a short-sighted step urged by the Commons, not foreseeing its consequences. In the election of its members every freeman had a vote, but there was much complaint that the great landowners controlled elections by forcing their tenants to vote to suit them. Mainly to meet that, a law was passed which made the right to vote depend upon such large ownership of property that at one stroke it took away the vote from the great bulk of the freemen who on the whole were fitted to vote. That threw the election of the knights of the shire into the hands of the few. Then the kings took hold of the boroughs. They withdrew the old charters and handed out new ones to many boroughs in which the right to vote for members of the Commons was reduced to members of the common council or to a few 'select men.' Thus, the voting power of England went into the hands of a small class leading to untold evils and injustice which in the main were not corrected until after four hundred years when the Reform Act of 1832 and later acts were passed. . . . In Anglo-Saxon England, as we have seen, every freeman had a vote and continued to have it after the Conqueror came until the cutting down of the right of suffrage began in 1430. What is now said applies generally to the reign of George III (1760–1820). In a population of eight millions

only one hundred and sixty thousand were voters, the surviving restriction of former arbitrary rule. Of the five hundred and thirteen members of the Commons from England and Wales one-half were elected by only eleven thousand and five hundred voters; in each of six districts there were only three voters; the city of Edinburgh had only thirty-three. Manchester, Birmingham and other large cities had no representative in the House of Commons." How We Got Our Liberties by Lucius B. Swift (1928), pp. 106, 176, 177. The Tudors, he says, "granted charters making many new boroughs where they could control the naming of the members of the House of Commons. In that way they beat representative government and obtained Parliaments which followed their dictation." *Id.*, p. 108.

p. 28, n. 1: For illustration, on September 23, 1928, Harry E. Barnes, historical sociologist at Smith College, declared in New York that representative democracy has proved by science and history to be inadequate for the solution of the economic, social and political problems of the nation. He said the assumptions on which democracy is based are the relatively simple agricultural society of early America with correspondingly simple political and social problems; representative units of a homogeneous nature without conflicting interests; the idea that all men are equal in capacity; the belief in justice and validity of universal suffrage; the conviction that all people have an ardent interest in politics and that they study carefully candidates and their qualities before voting; the idea that masses have a special capacity for sensing injustice and for leading crusades for reform; and the conception of isolation from international affairs. Every one of these assumptions, he said, had been rendered invalid by the industrial revolution, and as a result the idea of representative democracy has been so changed that it is now useless. His remedy is the class system of voting, that is proportional or weighted voting, to insure domination of the intellectual persons. He favors special training for public service in the legislative and executive branches of government much as in the present civil service. (New York Herald-Tribune, September 24, 1928.)

The answer is that civil service methods in the higher walks of life is bureaucracy and lack of initiative and never has and never will bring the strongest men to the front. Weighted voting is plausible but who will do the weighing? It is impracticable. True it is that democracy has changed but is still far from a failure. The professor might better have advocated the training of leaders in the great law schools, a proposition made at several places in this book.

p. 28, n. 2: Causes of the War of Independence by Claude H. Van Tyne (1922), Vol. I, p. 222. John Quincy Adams while Minister of the United

States to Holland, wrote to the Secretary of State at Washington in 1796 that the President of the Dutch Assembly and "one of the men who from the beginning of the revolution has been among the most distinguished and influential characters, made a speech in which he said that a *federal* government was an absurdity, a mere creature of imagination, a contradiction in terms. That *government* implies a controling power, and federalism several controling powers, which must be always different from and sometimes opposed to it. That in the necessary conflict of equal powers, one or the other of them must be destroyed, or both must be made ineffectual. He would not even allow that the present government of the United States could be considered as exhibiting a refutation of his opinion, but attributed the present state of their Union to the personal character and influence of the President." Writings of John Quincy Adams, edited by Worthington C. Ford (1913), Vol. 2, p. 14.

p. 29, n. 1: Hugo Grotius; see Readings in Political Philosophy by Francis William Coker (1914), p. 275.

p. 29, n. 2: Constitutional Law by Thomas M. Cooley (1880), p. 21. Charles Francis Adams, the younger, in a lecture at Oxford, England, in 1913 (Trans-Atlantic Historical Solidarity) claimed that a sovereignty divided between State and Nation was and is a myth, a pretense and a makeshift and that sovereignty is indivisible and has always been in the Nation. He says (pp. 38, 43, 44, 47, 48), "Under such conditions the problem which taxed the constructive ingenuity of the leaders, after the conflict with Great Britain was over and outside pressure withdrawn, was to devise a deception — a nationality which should not be a sovereignty; and they actually accomplished that feat, persuading others by first thoroughly deceiving themselves. To bring the result about they had recourse to what I have already referred to as a metaphysical abstraction — they invented, what in perfect good faith was a most ingenious and deceptive temporary *modus vivendi*. The proposition, in the nature of a compromise, recommended itself to the general popular mind; that compromises of this sort are apt so to recommend themselves is matter of common observation. . . . To accomplish the end they had in view, the framers, deceiving themselves, had recourse to a highly deceptive device, under which it was left to time and the individual to decide, when the final issue should arise, if it ever did arise — and they all devoutly hoped it never would arise — where sovereignty, and consequently allegiance, lay. . . . But the metaphysical abstraction of a divided sovereignty, none the less, bridged a dangerous chasm. As a *modus vivendi* it did its work; and did it well, because, finally, it worked into Might." Mr. Adams was not a lawyer nor a profound thinker and he ignored the fact

that sovereignty is in the people and not in the States or Nation. The people may divide and delegate sovereign powers — part to the States and part to the Nation, and that is what the people did. "Allegiance" is no test of sovereignty. What does he mean by "allegiance"? I have read much but never before have seen this view of the matter. The American people owe and give allegiance to the Nation in all parts of sovereignty belonging to the Nation — war, international relations, interstate commerce, etc. But he is a bold man who would say that the people of any of the States do not owe and actually give allegiance to that State in its exercise of sovereign powers reserved or given to the State. The constant conflicts and jealousies between the different States; the pride and ambitions of State in its relations with other States; the solidarity of State representatives in Congress, conventions, processions and associations show an allegiance to State more in evidence and more often called into action than allegiance to the Nation. Mr. Adams puts forward a new idea but it is not sound. The men who wrote the Constitution were not so simple as he makes out. The Civil War was not to demonstrate that sole and undivided sovereignty was in the Nation, as he states, but was to demonstrate that that part of sovereign powers which had been given to the Nation could not be withdrawn by any State or group of States.

The people knew exactly what they were doing when they adopted the Constitution. Patrick Henry, who was opposed to the adoption, said in 1788 that he "would make this inquiry of those worthy characters who composed a part of the late Federal Convention. . . . Give me leave to demand, What right had they to say We, the people? My political curiosity, exclusive of my anxious solicitude for the public welfare, leads me to ask who authorized them to speak the language of We, the people, instead of We, the States?" Quoted in Presidential Years 1787–1860 by Meade Minnigerode (1928), p. 3. It is immaterial now what authority the Constitutional Convention had. "We, the people," adopted the Constitution, and "We, the people," were a higher authority than "We, the States." The Constitution took away certain powers of the States and did so by the fiat of the people. No higher authority existed and none higher exists today.

p. 29, n. 3: George Ticknor Curtis, a finished lawyer and writer, says of Webster's speech: "If the argument had failed to convince the popular mind, the Constitution of the United States would ere this have been numbered among the things that were." Life of Daniel Webster (1870), Vol. 1, p. 362. He also said of Webster (pp. 361, 362): "According to his success or his failure in convincing the understandings of men that the principles of State interference and nullification were wrong, the Govern-

ment would thenceforward be able or unable to enforce its laws through its own judicial interpretation of their constitutional validity, and to maintain or not to maintain the Union in case of future forcible attempts to break it up; since these issues in truth depended, for all future time, upon the popular acceptance of the one or the other theory of the Constitution, as well as upon the convictions of the public men of the country respecting the real merits of this controversy." He further says (p. 366) that although the argument that the Constitution is only a compact between sovereign states, of whose infraction they are to judge, "omits to give due weight to that part of the Constitution providing for a judicial arbiter of its own, with the express intention of withdrawing such questions from the final cognizance of the States themselves, and which also deals imperfectly with some of the other very important facts respecting the origin of the Constitution, it was by no means clear, beforehand, how far the popular mind of this country could be relied upon to embrace and give effect to its appropriate refutation. . . . Men, everywhere, were aware that a new and startling doctrine, respecting the Constitution, had assailed its very foundations, and they were eager to possess and to understand the answer to it; knowing well that, if that answer were not complete, their own minds, and the minds of others, would be left in a painful and perilous uncertainty." Webster's reply to Hayne, he says (p. 450), was "accepted as conclusive, not merely by the quarter of the country which he represented, and the political party with which he was connected, but by a large part of the people in the Central and Western States, and by many of the ablest public men in the party to which he did not belong." Professor Beers of Yale says: "It is not claiming too much for Webster to assert that the sentences of these and other speeches, memorized and declaimed by thousands of schoolboys throughout the North, did as much as any single influence to train up a generation in hatred of secession, and to send into the fields of the Civil War armies of men animated with the stern resolution to fight until the last drop of blood was shed, rather than allow the Union to be dissolved." Initial Studies in American Letters by Henry A. Beers (1895), pp. 89, 90.

p. 30, n. 1: Diary of John Quincy Adams, edited by Allan Nevins (1928), pp. 401, 437.

p. 30, n. 2: Morison puts it this way: "The case for secession rests on the axiom that the Federal Constitution created a confederacy, not a government, and did not impair the sovereignty of the States. Although the history of the United States affords the most perfect example of plural sovereignty in history, every one in 1860 was thinking in monistic terms. Either the States were individually sovereign, or the people of the whole

United States were. Protagonists of national sovereignty were embarrassed in their search for the precise moment when it came into existence, in a Union that was ratified successively by the peoples of the States. Consequently, they took refuge in the historical fallacy that the Union was older than the States. Conversely, the protagonists of State sovereignty found it difficult to explain how States like Ohio and Arkansas, erected out of the national domain by Act of Congress, obtained a sovereignty superior to their creator. . . . The American nationalists tried to prove their theory by the language of the Constitution and the debates of 1788, instead of pointing to the gradual growth of national feeling which was their real sanction. In 1800 the vast majority of American citizens felt more loyal to their respective States than to the Union. In 1830 none but Virginians, Georgians, and South Carolinians would have followed their States out of the Union, on any possible issue." Oxford History of the United States by S. E. Morison (1927), Vol. II, pp. 150, 151.

p. 30, n. 3: A complete and comprehensive review of the historical facts upholding the doctrine that the Supreme Court is the final judge of whether an act of congress or state statute is constitutional is found in a little book on The Supreme Court and the Constitution by Professor Charles A. Beard (1926). Peck says: "Whatever the opinion as to the origin of the leading features of the Constitution, the ultimate question involved in the controversy was simply as to where the power was vested to pronounce upon the constitutionality of laws. From any possible point of view, the doctrine that a State can exercise that power as a finality is to render the Constitution merely the evidence of a provisional acquiescence in a national government that shall cease in and over any State at its own discretion. During the early years of the Constitution there was diversity of opinion as to the fundamental nature of the national organism — whether it is a dissoluble compact between sovereign States or a perpetually consolidated nationality. This necessarily arose from the extraordinary conditions that produced it, the divergent purposes that entered into it, and hence the novelty of the political system it created. In the nature of things it could not have been otherwise. Fortunately the question was almost wholly speculative; no actual and general emergency had arisen to compel its practical determination. The subjects of difference were settled as merely political questions. The Virginia and Kentucky resolutions and the proceedings of the Hartford Convention, subsequently cited as authorities, are to be regarded, so far as they may seem to warrant the theory of Constitutional nullification and secession, as little else than *obiter dicta*, inasmuch as there was no real design to accomplish more than an emphatic protest, for political effect, against

objectionable acts of the government." The Jacksonian Epoch by Charles H. Peck (1899), pp. 207, 208.

p. 30, n. 4: History of the Constitution of the United States by George Bancroft (1885), Vol. 2, p. 346.

p. 31, n. 1: History of Greece by George Grote (1876), Part II, ch. II, pp. 343, 348.

p. 32, n. 1: Conditions of National Success by Hugh Taylor (1924), p. 209.

p. 34, n. 1: Lecture on The Civil War in America (1866), republished in Historical Essays and Studies by John E. Acton (1908), p. 124.

p. 34, n. 2: Lecture on The American Revolution (1899–1901) republished in Lectures on Modern History by John E. Acton (1906), p. 314.

p. 34, n. 3: Development of European Polity by Henry Sidgwick (1903), p. 430. Parsons says of Switzerland: "The transition to a centralized federal state, of the American type, did not take place till the nineteenth century." The Stream of History by Geoffrey Parsons (1928), p. 423.

p. 34, n. 4: Development of European Polity by Henry Sidgwick (1903), p. 439.

p. 35, n. 1: Quoted in Carson's History of the Supreme Court (1892), p. 15.

p. 36, n. 1: Introduction to Constitutional History as Seen in American Law by Judge Henry Wade Rogers, p. 10.

p. 36, n. 2: The Reconciliation of Government with Liberty by John W. Burgess (1915), pp. 324, 325.

p. 36, n. 3: Popular Government by William Howard Taft (1913), pp. 184, 185. I consider the argument in this little book by Chief Justice Taft for the preservation of American institutions the ablest and most valuable of all his writings.

p. 36, n. 4: The Supreme Court of the United States by Charles Evans Hughes (1928), p. 1.

p. 36, n. 5: Essay on May's Democracy in Europe (1878), republished in History of Freedom and Other Essays by John E. Acton (1907), p. 86.

p. 37, n. 1: American Problems, A Selection of Speeches and Prophecies by William E. Borah, edited by Horace Green (1924): Excerpt from Speech in the United States Senate, August 7, 1911, on Recall of Judges, pp. 178–180.

p. 37, n. 2: Quoted in Carson's History of the Supreme Court (1892), pp. 14, 15.

p. 38, n. 1: Americans and The Britons by Frederick C. De Sumichrast (1914), pp. 350, 356.

p. 38, n. 2: The Price of Freedom (1924): Address on The Limitations of the Law by Calvin Coolidge, p. 201.

p. 40, n. 1: Franklin in a letter written from London February 20, 1768 said: "Four thousand pounds is now the market price for a borough. In short, this whole venal nation is now at market, will be sold for about two millions, and might be bought out of the hands of the present bidders (if he would offer half a million more), by the very Devil himself." The Life of Benjamin Franklin, written by himself, edited by John Bigelow (1874), Vol. 1, p. 570. In another letter, written three days before, he said: "The Parliament have of late been acting an egregious farce, calling before them the mayor and aldermen of Oxford, for proposing a sum to be paid by their old members on being rechosen at the next election; and sundry printers and brokers, for advertising and dealing in boroughs, &c. The Oxford people were sent to Newgate, and discharged, after some days, on humble petition, and receiving the Speaker's reprimand upon their knees. The House could scarcely keep countenances, knowing as they all do, that the practice is general. People say, they mean nothing more than to beat down the price by a little discouragement of borough jobbing, now that their own elections are all coming on. The price indeed is grown exorbitant, no less than four thousand pounds for a member. Mr. Beckford has brought in a bill preventing bribery and corruption in elections, wherein was a clause to oblige every member to swear, on his admission into the House, that he had not directly or indirectly given any bribe to any elector; but this was so universally exclaimed against, as answering no end but perjuring the members, that he has been obliged to withdraw that clause. It was indeed a cruel contrivance of his, worse than the gunpowder plot; for that was only to blow the Parliament up to heaven, this to sink them all down to ——. Mr. Thurlow opposed his bill by a long speech. Beckford, in reply, gave a dry hit to the House, that is repeated everywhere. 'The honorable gentleman,' says he, 'in his learned discourse, gave us first one definition of corruption, then he gave us another definition of corruption, and I think he was about to give us a third. Pray does that gentleman imagine there is any member of this House that does not *know* what corruption is?' which occasioned only a roar of laughter, for they are so hardened in the practice, that they are very little ashamed of it." *Id.*, pp. 561, 562.

p. 40, n. 2: Montesquieu in his Spirit of the Laws, published in 1748, wrote: "When the legislative and executive powers are united in the same person, or in the same body of magistrates, there can be no liberty; because apprehensions may arise, lest the same monarch or senate should enact

tyrannical laws, to execute them in a tyrannical manner. Again, there is no liberty if the judicial power be not separated from the legislative and executive. Were it joined with the legislative, the life and liberty of the subject would be exposed to arbitrary control; for the judge would be then the legislator. Were it joined to the executive power, the judge might behave with violence and oppression. There would be an end of everything, were the same man or the same body, whether of the nobles or of the people, to exercise those three powers, that of enacting laws, that of executing the public resolutions, and of trying the causes of individuals." Readings in Political Philosophy by Francis William Coker (1914), p. 465.

The American Constitution of 1787 was the first to put these ideas into actual effect.

The Supreme Court of the United States in 1928, said that it is "a general rule inherent in the American constitutional system, that, unless otherwise expressly provided or incidental to the powers conferred, the legislature cannot exercise either executive or judicial power; the executive cannot exercise either legislative or judicial power; the judiciary cannot exercise either executive or legislative power." Springer *v.* Philippine Islands, 277 U. S. 189, 201.

Commissions, such as the Interstate Commerce Commission, exercising subordinate legislative, executive, and judicial functions, seem to violate the principle of separation of those powers. But hardly so in a fundamental way. The legislature creates the commissions and controls them; the executive appoints them; the judiciary passes on their acts. They are necessary to relieve those three departments of infinite detail, small troubles, and regulation of rates and service. They violate nothing except occasionally common sense.

p. 40, n. 3: The Study of American History by Viscount James Bryce (1922), p. 58.

p. 42, n. 1: The United States by Carl Becker (1920), p. 99.

p. 42, n. 2: America's Need for Education and Other Educational Addresses by Calvin Coolidge (1925), p. 1.

p. 42, n. 3: Encyclopædia Britannica, 11th ed. (1911), Vol. 8, p. 984.

p. 42, n. 4: Massachusetts statute of 1647 quoted in The Evolution of the Massachusetts Public School System by George H. Martin (1894), pp. 12, 13.

p. 43, n. 1: Nationalism and Education since 1789 by Edward H. Reisner (1923), pp. 546, 547. In 1842 Horace Mann, the apostle of common school education, in a Fourth of July address at Boston said as to education: "There is not a single State in this whole Union, which is doing any thing

at all proportionate to the exigency of the case. The most that can be said is, that there are three States out of the twenty-six which have adopted some commendable measures for the promotion of this great work. These are Massachusetts, New York and Michigan, — the first by sustaining her Board of Education, by her Normal Schools, and her District School Libraries; — the second by her District School Libraries, her fund, and her county superintendents of schools; — and the third, by her magnificent fund, and her State superintendency of education." He further said in his vigorous way: "We solicit the farmer to visit the school, but he is too much engaged with the care of his stock, to look after his children. We apply to the tradesman, but his account of profit and loss must be adjusted before he can attend to the source of all profit and loss, in the mind. We call upon the physician, but he has too many patients in the arms of death, to allow him one hour for arresting the spread of a contagion by which, if neglected, hundreds of others must perish. We apply to the lawyer and the judge, but they are redressing the wrongs and avenging the violated laws of society, — they are so engaged in uncoiling the folds of a parent serpent which has wound himself around the State, that they cannot stop to crush a hundred of its young, ere they issue from the nest, to wind their folds alike around the State, and the law, and its ministers. We apply to the clergyman; he bids us God speed, — but commends us for assistance, to the first man we meet; for he and his flock are beleaguered by seven evil spirits, in the form of seven heresies, — each fatal to the souls of men. We sally forth from his doors, and the first man we meet is his clerical brother; but he, too, has seven fatal heresies to combat, and he solemnly assures us that the most dangerous leader of them all, is the man we have just left. We apply to the wealthy and the benevolent, who are carrying on vast religious enterprises abroad; but they have just shipped their cargoes of gold to Africa, to Asia, and to the uttermost isles of the sea, and can spare nothing; — never asking themselves the question, who, *in the next generation*, will support the enterprises they have begun, and retain the foothold they may acquire, if they suffer heathenism and the idolatry of worshipping base passions to spring up in their native land, and around their own doors. We go to those great, antagonist, theological institutions, which have selected high social eminences, all over the land, and entrenched themselves against each other, as warring generals fortify their camps upon the summit of confronting hills; — we implore them to send out one wise and mighty man to guide this great people through a wilderness more difficult to traverse than that which stretched between Egypt and Canaan; but each hostile sect is engaged in propagating a creed which it *knows* to be true, against the fatal delusion of

those various and opposite creeds, which each of the other sects also *knows* to be true!" As to the young he said: "Remember, that whatever station in life you may fill, these mortals, — these immortals, are your care. Devote, expend, consecrate yourselves to the holy work of their improvement. Pour out light and truth, as God pours sunshine and rain. No longer seek knowledge as the luxury of a few, but dispense it amongst all as the bread of life. Learn only how the ignorant may learn; how the innocent may be preserved; the vicious reclaimed. Call down the astronomer from the skies; call up the geologist from his subterranean explorations; summon, if need be, the mightiest intellects from the Council Chamber of the nation; enter cloistered halls, where the scholiast muses over superfluous annotations; dissolve conclave and synod, where subtle polemics are vainly discussing their barren dogmas; — collect whatever of talent, or erudition, or eloquence, or authority, the broad land can supply, *and go forth*, AND TEACH THIS PEOPLE." Orations collected by Brooklyn Public Library, pp. 62, 63, 74, 75, 86.

p. 43, n. 2: Encyclopædia Britannica, 11th ed. (1911), Vol. 8, p. 985.

p. 43, n. 3: Statistical Abstract of the U. S., U. S. Department of Commerce (for 1924: published 1925), No. 82 on p. 85; No. 83, p. 86; No. 86, p. 90.

p. 43, n. 4: President Coolidge in an address July 4, 1924, said "In the year 1921–22, the latest time for which complete statistics have been compiled, the students in the elementary and secondary schools, in the colleges and universities, had reached the unprecedented number of 26,206,756, and the total number of teachers and administrators approximately 882,500. . . . Twelve years ago the total money expended for all educational purposes amounted approximately to $705,781,900. In ten years this had increased to $2,144,641,000." America's Need for Education and Other Educational Addresses by Calvin Coolidge (1925), p. 14.

p. 43, n. 5: The Evolution of the Massachusetts Public School System by George H. Martin (1894), p. 37.

p. 44, n. 1: *Id.*, p. 21.

p. 44, n. 2: King writes, "Common schools and popular education, as now understood, were unknown among ancient nations. The origin of the common school is found in the Christian Church. It naturally flows out from the life of its beneficent founder in the recognition of the value of human life as such, and the essential dignity of individual man, not dependent on the accidents of birth and rank. The Christian clergy early recognized and assumed the duty of educating the people. Councils ordered provisions for the education of the rich and the poor without distinction. Churches

and schools were founded side by side. Monasteries were often the academies, the libraries, and the universities of the early times. But the schools thus established were far removed from the common schools of our day. The meager instruction was largely in church dogma and scholastic theology. The schools then resembled the parish schools of later times more than the common schools of this day. Wars and civil commotions have, through the centuries, interrupted the education of the common people. But the fundamental idea of educating all the people was never lost in the Christian Church, and it finally issued in the common school. Luther's ideas of schools were almost identical with the common-school system now in vogue in this country. In 1527, through his influence, Saxony established a free school system. The Swiss Reformers and John Knox of Scotland advocated this educational method. The preeminence of Prussia, which gives the model for all Germany in the direction of common education, where the state rules its schools as strictly as its army, dates back only to the first decade of the present century. Every country in Europe in late years has evinced, with some success, a great interest in popular education, each striving in its own way to establish a school system adapted to its peculiar wants." Facing the Twentieth Century by James M. King (1899), pp. 97, 98.

p. 44, n. 3: Americans and The Britons by Frederick C. De Sumichrast (1914), p. 352. Andrew S. Draper, Commissioner of Education of New York State, wrote in 1909 (American Education, pp. 13, 14), "The English purpose would have every English child read and write and work. England has simple but effective elementary schools for the peasant class. All peasant children go to them. Although they know nothing of American opportunity, the percentage of illiteracy is lower than in our American states. So it is in the leading countries of Europe. Of course, England has schools for the higher classes. But there is no educational mixing of classes, and no articulation or continuity of work. The controlling influence in English politics is distinctly opposed to universalizing education, through fear of unsettling the status and letting loose the ambitions of the serving classes. The placidity of the social organization seems of more moment than the strength of the empire." Irving T. Bush, an American captain of industry, says, "Is there reason for us to believe that our civilization will be any more permanent than those that have preceded it? Will power and wealth breed greed and decay with us, as they have with others? Will our national vitality last longer than the vitality of nations that have gone before? A nation is but a collection of individuals, and the vitality of a nation depends upon the vitality of its people. Have we, as a people, any-

thing in our favour that will be an asset to longer life as a nation when compared with those countries that have had their day and gone? There is one huge, outstanding difference between the civilization that we are achieving and all others. It is universal education. Our democracy is being built upon the education of all the people. In no time has this been true of any other great country. All past civilizations have been built on the supremacy of an educated class, while the mass of the people have been uneducated, unreasoning victims of exploitation and superstition. . . . A civilization built upon an educated citizenship has never been known. We are going to have the opportunity of making the first experiment as to its lasting power, and the odds are in our favour. For we make this experiment under a democratic form of government." Working with the World by Irving T. Bush (1928), pp. 86, 87.

p. 44, n. 4: American Education by Andrew S. Draper (1909), p. 201. Commissioner Draper also says (pp. 283, 284), "The forms and accomplishments of polite society are of course worth while, but mere manners may be only boorishness and brutality refined, or insipidity but little disguised. Culture worth seeking, in or out of the schools, must come from labor upon things worth doing, and from the influence of the power to do and the pleasure of real accomplishment upon the soul of the one who does. The external forms of culture do not make real men and women, but enough work, and true teachers, and a healthful and attractive environment are more than likely to start boys and girls on the road to culture worth the having. There are people who worship theory as though it were greater than life, and culture as though it were something to be put on like a jacket, instead of being the result of refining the soul through labor and experience. Emotion, and ecstasy, and affectation, are made to do duty for sincerity and power, and for religion and patriotism too. These people ignore the culturing value of labor, and of deprivation, and of sorrow. They are flippant about the Bible, without feeling its inspirations or studying its translations. They are not much stirred by the flag, for they know little of the heroism that has reddened so many stripes, and they feel little of the aspiration that is emblazoned in every star. It is not said that these people are the rich. Quite as often they are people who make 'culture' do duty for riches. Frequently they are people who have gained wealth faster than they could assimilate it. Whoever they are, they should no longer be permitted to tear out the substantial underpinnings of the schools."

p. 44, n. 5: The London Statist in its issue of August 13, 1927, says (pp. 252, 253): "Education was the craze of the reformers of the 19th century, as Church Reform had been the craze of those who would improve

the world in preceding centuries. The value of education entirely depends upon what is meant by those who use the term. Probably the best definition of education is the formation and development of human character, as it seems to be coming at last to be realised that upon character, rather than what we call ability, or acquired information, the usefulness of man, either to himself or to the society of which he is a member, depends. There again the difficulty arises, what type of character is it sought to develop? Every moral system must rest on some basis, and men have so many varying creeds upon which to build up what they call their morals. One could not reasonably hope to reconcile the ideals of a puritan and a revolutionary. Here in England we have had half a century of the operation of the Education Act of 1870, and the result has been to produce candidates for the counting house at the expense of the workshop, ignoring the fact that the counting house exists for the workshop and not the workshop for the counting house."

p. 45, n. 1: Notes, p. 330 in Concord Edition of Emerson's Works, Vol. VI, on Conduct of Life.

p. 45, n. 2: History of the English Colonies in America by Henry Cabot Lodge (1881), pp. 414, 415. In another book Lodge says of the New England town, "Its deepest significance lies in the fact that out of these towns and out of our self-governing communities everywhere we have been able to construct a solid fabric of State and nation. . . . It is in New England and through such towns as this that the possibility of forming governments on a large scale composed of the representatives of self-governing local communities was first demonstrated, and the Senate of the United States, representing the States themselves, is the lasting embodiment of this principle in our national system." A Frontier Town and Other Essays by Henry Cabot Lodge (1906): Address on Certain Principles of Town Government, pp. 235, 236. In still another book Garner and Lodge say: "The system of local government in the colonies possessed less uniformity than did the central governments. They were, in fact, three general types of local government, namely, that which prevailed in New England, that of the middle colonies and that of the southern colonies. In New England the town with its unpretentious church and schoolhouse was the unit of local government, and was represented in the legislature. Instead of electing representatives to lay their taxes, enact local regulations and attend to various other matters relating to religion, care of highways, the poor, and the like, the people themselves assembled in town-meeting and enacted their own local laws and voted the taxes. The local government of New England was in other words a pure democracy. Originally all male inhabitants of legal age were allowed to participate in its deliberations. . . . The county

in New England as a political unit played an insignificant rôle, and that is true to-day, local government being carried on mainly through the agency of town-meeting, while the county survives rather as a judicial and elective district.

"The southern colonies differed from those of New England quite as much in their local polity as in their social and economic life. Here the pure democracy of New England never gained a foothold; it was in fact impracticable, if not impossible. Instead of populous, compact towns, as in New England, there were large plantations scattered throughout the colony and cultivated mainly by slave labor. This, with other causes, both economic and social, interfered with the natural growth of towns and villages, and consequently made necessary a more representative type of local government than that which prevailed in New England. Instead of the town, therefore, the parish became the unit of local government. . . . About the middle of the seventeenth century most of the secular duties of the vestry in Virginia were taken over by the county court, leaving the vestry merely ecclesiastical functions. . . .

"In the middle colonies the system of local government was in the nature of a compromise between the New England town meeting and the southern county commission. Here the county was neither the supreme local unit, as in the south, nor a mere survival as in New England. In New York the county was divided into townships, each of which elected a supervisor to represent it on the county board of supervisors, which authority was charged with the general management of the affairs of the county. The townships, however, did not lose their individuality as local units of government. For a time purely township affairs were even regulated by a town meeting, but rather rudimentary in form, as compared with that of New England. In Pennsylvania the form of local government was very similar to that of New York; that is, it was administered by a county board of commissioners. Here, however, the commissioners were chosen from the county at large and did not therefore represent a particular township. But each township had its own local government and cared for such matters as local police, the assessment and collection of taxes, the maintenance and repair of highways, and the like. The system of local government in the middle colonies was more democratic than that of the south, yet it did not go to the other extreme of the New England pure democracy. It was well adapted to secure efficiency and local autonomy and has come to be adopted in the great majority of the States of the Union." History of Nations Series, Vol. 23: The United States by James Wilford Garner and Henry Cabot Lodge (1906), Vol. 1, pp. 122–125.

Palfrey says of the New England town: "The experience of later times has dictated improvements of detail in the municipal system of New England, but its outline was complete when it was first devised. No *city* government was constituted in New England till more than a century and a half after the first settlement; none in Massachusetts till more than two hundred years. In law, a city is a town, the difference between them being only in internal administration; the former managing its affairs by representatives chosen by the citizens; the latter, by votes of the whole body of citizens in town meeting." Compendious History of New England by John G. Palfrey (1873), Vol. 1, p. 275.

Munroe says (The New England Conscience by James P. Munroe — 1915 — pp. 20, 21), "It is superfluous to describe the principles and methods of the town-meeting; but perhaps we do not always remember what a perfect instrument for the teaching and preservation of democracy that town-meeting has been and still is, and how much the city youth and man loses in not having an opportunity to watch the machinery of government, to debate public questions and to interrogate, face to face, the officials under whose rule he lives. I have no hesitation in saying that the moulders of America have been, not its Presidents, Governors and other great dignitaries, but those humble though powerful officials called Moderators, who are sworn to show no favor in conducting the town-meeting, and who must let the meanest and poorest citizen express his views as freely and lengthily as he chooses, provided only he keeps within hailing distance of the question before the house. One hundred and fifty years ago, however, the towns in Massachusetts were even more democratic than they are today; for the people of that time not only settled, in their town-meetings, such questions as they do at present; they also decided who should be the minister and how much (or, rather, how little) salary he should be paid. As a consequence, the citizens grew into the habit of discussing all kinds of questions about church government, morals, and religion, and were accustomed, therefore, to look at every civic and political problem from its ethical as well as from its material side. But there was still another function exercised by those old town-meetings which has long since passed into oblivion, — that of taking direct part in the work of the General Court. For in those earlier days the legislature was regarded by the towns of Massachusetts simply as a sort of joint town-meeting, and the representatives sent to the General Court were instructed, by formal resolutions of the town, how they should vote on all important questions." Lois K. Mathews in The Expansion of New England (1909) says (pp. 165, 166) that "in New York the mixed system of county and town government had obtained ever since the

Duke's Laws of 1664 had been promulgated. Whenever a new town was erected, four justices of the peace were chosen at the first election, and these presided at a town-meeting where the town officers were chosen: the usual New England ones with the addition of a supervisor to receive and pay out town moneys, keep accounts, sue in the name of the town, and cause town surveys to be made. This supervisor is to-day as he was then, — the link between town and county; he meets once a year with supervisors from every other town in the county, and represents his own on the board so formed, to make laws for the corporate property of the county, have charge of its accounts, and audit debts and bills of all officers and other persons outstanding against the towns. In addition to the board of supervisors, the county has its treasurer, clerk, sheriff, coroner, surrogate, and district attorney. Thus the town government of New England takes a subordinate place when upon it is superimposed the county government as in the New York system."

Professor Thames Ross Williamson in his book on Problems in American Democracy (1922) gives the modifications of the town meeting outside of New England. He describes "The two-sub-types. In the fusion of the town and county types of government the county system tended to predominate over the town or township form of government when settlers from the South were in the majority. In the northern section of the country, on the other hand, the compromise form tended to include a majority of the features of the town type. The result was the formulation of two sub-types.

"The first of these may be called the Pennsylvania sub-type, so named because it originated in Pennsylvania, and then spread, with modifications, to Ohio, Indiana, Kansas, Missouri, and other states. In these states the town or township authority is subordinated to the county government. There is no town meeting.

"The New York sub-type exists in typical form in New York, but is also found in New Jersey, Michigan, Illinois, Wisconsin, Minnesota, the Dakotas, and other states. The town meeting is found in these states, and in five of them the townships are represented on the county board.

"The New York sub-type. In states possessing the New York sub-type of rural local government, the town meeting is still important. This meeting is similar to the New England town meeting, though it exercises less authority. All the legal voters of the township are qualified to take part in this meeting, which is held annually and on special occasions. At this meeting are chosen township officers for the following year. The most important of these are the supervisor, clerk, treasurer, assessor, and a varying number of constables and justices of the peace. In addition to electing

these and other officers, the town meeting enacts legislation with regard to such local matters as bridges, roads, and schools.

"In some of the Central states general executive authority over township affairs is vested in a township board, while in other states administrative authority is divided between a township board of from three to eleven members, and a supervisor or trustee. Besides these officials, there are a number of minor officers, including a clerk, a treasurer, an assessor, overseers of the poor, constables, and justices of the peace.

"The county board continues to exist under the New York plan, but it is far less important than under the Pennsylvania sub-type. The functions of the county board are similar in these two sub-types."

Philip A. Bruce in his Economic History of Virginia in the Seventeenth Century (1896) says (Vol. 2, p. 522) that in Virginia "the general system of colonial life rested upon the plantation as the centre, and not, as in New England, upon the town-ship. . . . Each component part of the community, that is, each plantation, was in itself a complete reflection of the entire community, whether bounded by the lines of one neighborhood or the whole Colony. The community was a series of plantations which were only locally distinguished from each other. In all essential particulars, they were practically the same. The plantation is of the first and highest importance in the study of the general system."

p. 45, n. 3: Akagi in The Town Proprietors of the New England Colonies (1924) says, pp. 291, 292: "Much has been written about the origin of New England towns. The theory of Germanic origin traces the New England towns directly back to the Mark in the primeval forest of Germany; the primordial germ theory finds the New England towns already organized in England before the migration to New England; the parish theory defines them as the direct descendants of English parishes; the charter theory gives them a natural development following the outline given in the charter, a little colony within a large colony. All these theories may contain a truth of their own, but they never adequately explained the real origin of New England towns. The story of the New England proprietors shows no semblance to any one of these hypotheses. On the other hand, it goes to show plainly that New England towns were founded as a result of a simple business arrangement to meet the exigencies of the colonists amid the new environment. In the first place, there was no definitely conceived plan at first in the founding of the towns; in fact, it took over twenty years before any definite form of founding townships was systematically developed on the New England soil. In the second place, the 'town' was at first nothing but a simple land community for the sole purpose of settlement and from it

the political community gradually developed as a result of the separation of powers. The land was given away in a tract by the general court to a group of individuals for the purpose of settlement. The tracts were settled in groups and each group was invested with an authority to manage its own affairs. At first there was no unified plan in any settlement and even the system of land grants to groups, as we have seen, had an evolution of its own. These original settlers or grantees became the proprietors of the land which was granted to them and they formed a simple agrarian community, bound by the common ownership of land. The first town meeting held was the meeting of these proprietors for the better ordering of their land and its divisions. The whole movement was not pre-conceived; it was a natural business process, an effort to possess, develop, and settle a tract of land. The diversity of interest followed on the heels of their settlement and an effort to bring about better management of their common life resulted in the separation of powers. The proprietors elected the selectmen to look after the political side of their own life, while they kept to themselves the exclusive jurisdiction over the town land. . . . A township, in other words, was merely an arrangement in the first instance to define, though sometimes very vaguely, the territorial jurisdiction of a group of proprietors and at first there was no political significance attached thereto."

p. 45, n. 4: Senator Hoar of Massachusetts wrote: "The referendum, a scheme by which men charged with political duties avoid responsibility by submitting to the people measures which they fear may be unpopular, — has never found much favor in Massachusetts." Autobiography of Seventy Years by George F. Hoar (1903), Vol. 1, p. 173.

p. 46, n. 1: Charles W. Eliot, the Man and his Beliefs, edited by William Allan Neilson (1926), Vol. II, p. 757. He then points out that our city form of government is neither representative of the voters nor of the taxpayers in matters of taxation; in other words, it has departed from the town meeting idea.

p. 46, n. 2: Quoted in Urbanization, Its Effects on Government and Society by John Giffen Thompson (1927), p. 231.

p. 46, n. 3: History of the United States by Richard Hildreth (1848–1852), Vol. 1, p. 323.

p. 46, n. 4: Genesis of the Constitution of the United States of America by Breckinridge Long (1926), p. 24.

p. 46, n. 5: History of the United States by George Bancroft, 25th ed. (1834–1862), Vol. 1, p. 255. Encyclopædia Britannica, 11th ed. (1911), Vol. 17, p. 831. "And the grant which conferred Maryland on him [Baltimore] was so carelessly worded that it gave him the right of making laws

after consulting with the freemen, but omitted to state what constituted a freeman; it permitted him to make ordinances of his own will when the emergency of the colony required it, leaving him judge of what constituted an emergency; but at the same time it nullified the result by stipulating that in such a case no man should be affected as to his life or goods. No taxes were to be levied by the Crown." The English People Overseas by A. Wyatt Tilby, 2nd ed. (1911), Vol. I, p. 94. Garner and Lodge say of the grant of Maryland to Lord Baltimore by the King that the "despotism was mixed with a little democracy, which soon leavened the whole lump for the proprietor, for he was to summon the freemen to assist him in making laws, and was forbidden to tax them without their consent. Lord Baltimore attempted to initiate legislation himself, leaving to the colonists only the right of assent, but they resisted at the outset and soon won. Baltimore was a tolerant man, but it is not wholly due to this fact that Maryland became the first colony where religious toleration was practiced. The Catholic minority, represented by the proprietors, were in control, but still a minority, and a minority can always be trusted to be tolerant when they are at the mercy of a majority. Moreover, the charter itself provided that all churches should be consecrated according to the laws of the Church of England, although this probably was intended merely to guard against making Catholicism an established religion. Had Calvert attempted to exclude Protestants, he would only have raised a storm of opposition both in Maryland and in England, which would have been fatal to his whole project. It was all these reasons combined which for a time made Maryland, in practice, a colony of religious freedom. . . . The Protestant party grew apace in Maryland as the religious troubles became more acute in England. The toleration practiced by the proprietor from the first was now enacted by statute. This famous 'Toleration Act,' passed in 1649, provided that no one professing Christianity should 'in any ways be molested or discountenanced for or in respect of his or her religion nor in the free exercise thereof.' But one was required to be a Christian of some sort, or keep a bridle on his tongue, for there were severe laws against blasphemers and profaners and gossipers, and, indeed, Jews, Unitarians and others were excepted from its benefits. This seems to have been a sort of a compromise between the Catholics and Protestants, but during the period of the Commonwealth the dissensions between them became so violent that civil war broke out. The Puritans rejected the Toleration Act and passed one tolerating everybody, says Fiske, 'except Catholics, Episcopalians, and anybody else who disagreed with them.' In a pitched battle they defeated the Catholics and imprisoned the governor, Stone, Leonard Calvert's successor, who, though a Protestant,

sided with the proprietor. Cromwell now appears to have thought that the Parliamentary Commissioners had gone too far, and the province was restored to Lord Baltimore (1657), who thereupon promised never to repeal the law granting to the people freedom of worship. . . . The new sovereigns, William and Mary, seemed not to have been favorably impressed with Lord Baltimore and revoked his charter in 1691, reducing Maryland to the position of a royal province. Soon after this the Church of England was established by law and the persecution of dissenters, especially Catholics, was begun." History of Nations Series, Vol. 23: The United States by James Wilford Garner and Henry Cabot Lodge (1906), Vol. 1, pp. 69, 71, 72.

p. 47, n. 1: Quoted in The Inquiring Mind by Zechariah Chafee, Jr. (1928): Essay on The Freedom of the City, pp. 147, 148.

p. 47, n. 2: The Growth of the United States by Ralph Volney Harlow (1925), p. 52. The Encyclopædia Britannica, 11th ed., vol. 15, p. 302, note, says that the Virginia statute of 1786, abolishing the support of an established church by taxation was "the first *law* of its kind in Christendom, although not the earliest practice of such liberty in America." W. B. Swaney in an article on "Religious Freedom" in the Virginia Law Review, June, 1926, says, "This was the first *statute* ever enacted by a popular Assembly of this character in the history of the world."

p. 47, n. 3: History of the United States by Richard Hildreth (1848–1852), Vol. 3, p. 382, and Vol. 2, p. 217.

p. 47, n. 4: The American Revolution as a Social Movement by J. Franklin Jameson (1926), p. 133.

p. 47, n. 5: Constitutional Law by Thomas M. Cooley (1880), p. 224.

p. 48, n. 1: Quoted in Facing the Twentieth Century by James M. King (1899), p. 91.

p. 48, n. 2: The Foundations of the Modern Commonwealth by Arthur N. Holcombe (1923), p. 109.

p. 49, n. 1: Earth-Hunger and Other Essays (1913): Essay on Separation of State and Church by William Graham Sumner, p. 310.

p. 49, n. 2: Professor Smith says: "Ward represented the sociologists in declaring that 'equality of opportunity is the only means of determining the degree of merit'; Hart, the historians in listing among the living American ideals 'equality of opportunity'; Conklin, the biologists in defining democracy as 'a system which, ideally at least, attempts to equalize the opportunities and responsibilities of individuals in society'; Dewey, the philosophers in judging social institutions and political measures by test of 'whether the general, the public, organization and order are promoted in such a way as to equalize opportunity for all'; Herbert Hoover, the men of affairs in

finding the spirit of American democracy in 'its glorification of equality of opportunity for all'; and Woodrow Wilson, following the emphasis that Lincoln before him liked to make and applying also his own earlier conviction that the function of the state consists in an 'equalization of conditions in all branches of endeavor,' crystallized this common thought of the nation into a political program in his first campaign for the presidency. Finally, President Eliot, at the close of the century, looking back upon a period that had completely accepted in principle and had, it felt, largely succeeded in establishing in practice the negative aspect of the equality ideal, summarized the contemporary American conception in terms of equality of opportunity. That both civil and political equality has been accepted in principle and more or less achieved in practice, that equality of opportunity has come to be unanimously accepted as the goal of social justice — these facts, significant in themselves, serve but to necessitate the question which this study seeks to answer, namely, On what basis, or bases, have these several equalitarian claims rested?" American Philosophy of Equality by T. V. Smith (1927), pp. 149–151. The professor advocates (pp. 325, 326) that employees become more interested in their work, and that there be a more equitable distribution of annual profits.

p. 50, n. 1: President Hoover, in August, 1928, in his address of acceptance of his nomination said: "The founders of our republic propounded the revolutionary doctrine that all men are created equal and all should have equality before the law. This was the emancipation of the individual. And since these beginnings, slowly, surely and almost imperceptibly, this nation has added a third ideal almost unique to America — the ideal of equal opportunity. This is the safeguard of the individual. . . . Equality of opportunity is the right of every American — rich or poor, foreign or native born, irrespective of faith or color. It is the right of every individual to attain that position in life to which his ability and character entitle him. By its maintenance we will alone hold open the door of opportunity to every new generation, to every boy and girl. It tolerates no privileged classes or castes or groups who would hold opportunity as their prerogative. Only from confidence that this right will be upheld can flow that unbounded courage and hope which stimulates each individual man and woman to endeavor and to achievement. The sum of their achievement is the gigantic harvest of national progress. This ideal of individualism based upon equal opportunity to every citizen is the negation of socialism. It is the negation of anarchy. It is the negation of despotism. It is as if we set a race. We, through free and universal education, provide the training of the runners; we give to them an equal start; we provide in the government the umpire

of fairness in the race. The winner is he who shows the most conscientious training, the greatest ability, and the greatest character. Socialism bids all to end the race equally. It holds back the speedy to the pace of the slowest. Anarchy would provide neither training nor umpire. Despotism picks those who should run and those who should win. . . . Equality of opportunity is a fundamental principle of our nation. With it we must test all our policies. The success or failure of this principle is the test of our government."

p. 50, n. 2: Whither Democracy? by N. J. Lennes (1927), p. 165.

p. 50, n. 3: Shakespeare — King Henry VIII, Act 1, sc. 1.

p. 50, n. 4: Essay on The Young American by Ralph Waldo Emerson.

p. 51, n. 1: Men and Measures of Half a Century by Hugh McCulloch (1888), Preface, p. x.

p. 52, n. 1: This Economic World by Thomas Nixon Carver and Hugh W. Lester (1928), p. 92.

p. 54, n. 1: Quoted in Studies in History (1884): Essay on Colonialism in the United States by Henry Cabot Lodge, p. 365. See also American Social History as Recorded by British Travellers, edited by Allan Nevins (1923): Essay on Estimate of American Tendencies (1882) by Herbert Spencer, p. 496. Lord Bryce says: "It is still too early in the growth of the United States to form any conclusions on these high matters, almost too soon to speculate regarding them. There are causes at work which may in time produce a new type of intellectual life; but whether or not this come to pass, it can hardly be doubted that when the American people give themselves some repose from their present labors, when they occupy themselves less with doing and more with being, there will arise among them a literature and a science, possibly also, though later, an art, which will tell upon Europe with a new force. It will have behind it the momentum of hundreds of millions of men." Social Institutions of the United States by James Bryce (1892), p. 202. He also says (pp. 244–246), "May one, then, expect that when novelty has worn off, and America counts her life by centuries instead of by decades, variety will develop itself, and complexities, or diversities, or incongruities (whichever one is to call them) such as European countries present, be deeper and more numerous? . . . When one sees millions of people thinking the same thoughts and reading the same books, and perceives that as the multitude grows, its influence becomes always stronger, it is hard to imagine how new points of repulsion and contrast are to arise, new diversities of sentiment and doctrine to be developed. Nevertheless I am inclined to believe that as the intellectual proficiency and speculative play of mind, which are now confined to a comparatively small class, become

more generally diffused; as the pressure of effort towards material success is relaxed; as the number of men devoted to science, art, and learning increases, — so will the dominance of what may be called the business mind decline, and with a richer variety of knowledge, tastes, and pursuits, there will come also a larger crop of marked individualities and of divergent intellectual types."

p. 54, n. 2: Essay on Civilization by Ralph Waldo Emerson.

p. 55, n. 1: Speeches and Addresses (1884–1909): Speech on The Restriction of Immigration by Henry Cabot Lodge, pp. 262, 263.

p. 55, n. 2: Essay on Power by Ralph Waldo Emerson, p. 53.

p. 56, n. 1: American Political Ideas by John Fiske (1880). Lodge says: "Thus far modern democracy, which since our war for independence and the French Revolution has been steadily taking possession of the world of Western civilization, has proceeded upon the American theory of the least possible interference by government and the largest possible individual liberty compatible with the rights of others." A Frontier Town and Other Essays by Henry Cabot Lodge (1906): Address on Certain Principles of Town Government, p. 242.

p. 56, n. 2: American Contributions to Civilization by Charles Wm. Eliot (1907), p. 34. See also Charles W. Eliot, the Man and his Beliefs, edited by William Allan Neilson (1926), Vol. II, pp. 711–744. President Coolidge in his book of speeches and addresses, Foundations of the Republic (1926), attributes cooperation of all Americans to (1) tolerance in religion, politics and social relations; (2) to our republican form of government; and (3) to universal free education (pp. 160, 161), and later he points out that America was the first to promulgate equality as an official political declaration (p. 447). Professor Stimson of Harvard in his lectures has said that America did four things: (1) protected its liberties from the dangers of state and federal governments; (2) separated the legislative, executive and judicial powers from each other ("without precedent in actual history"); (3) preserved local self government and yet created a national government operating directly on the people and not on the states; and (4) creating a Supreme Court with power to declare laws unconstitutional and void. He states that the State Constitutions were drawn to protect the propertied classes, while the federal constitution was democratic, but that all American Constitutions united in a Bill of Rights, "those marvellous clauses which grew from five sentences in Magna Charta to thirteen in the Bill of Rights of 1689, when they had had experience of the Stuart tyranny, and to sixteen in the Virginia Bill of Rights, and thirty in the Constitution of Massachusetts; and, in the Federal Constitution, the first ten amendments." Professor

Stimson also points out that while equality before the law is an old English principle and equality in the sense of manhood suffrage existed in England up to the reign of Henry VI, yet that then a property qualification was imposed and only the larger landowners could qualify. The American Constitution (Lowell Institute Lectures) by Frederic J. Stimson (1908), pp. 5, 6, 7, 15, 16, 32, 33, 78, 79, 104. James M. Beck in his little book on The Passing of the New Freedom (1920) says that the essential principles of the Constitution constituting free government are (pp. 68–84) 1. Representative government. 2. Our dual form of government. 3. Guaranty of individual liberty. 4. An independent judiciary. 5. Governmental checks and balances. 6. Concurrent power of the Senate and the Executive over the foreign relations of the government. Judge Baldwin of Connecticut enumerated the chief "modern political institutions" in general as follows: (1) the foundation of all government on the consent of a majority of the people; (2) religious liberty; (3) the written constitution as the supreme law; (4) the protection by law of the individual against the State; (5) the protection by law of the individual against himself; (6) the combination of political absolutism with democracy; (7) the secret ballot; (8) simpler and surer methods of legal procedure; (9) freedom of incorporation under general laws; (10) minority representation in office; (11) the regulation of succession to the dead in the interest of the State; (12) international arbitration. He then adds "for the United States, the Monroe Doctrine." Later in his book he has a chapter on "Absolute Power, An American Institution." He does not discuss which of the above enumerated modern political institutions are American in origin. Modern Political Institutions by Simeon E. Baldwin (1898), Introduction, p. 3, and Ch. IV.

p. 58, n. 1: As Professor Wertenbaker says: "The typical New Englanders or Virginians of three hundred years ago may have contributed little to the advance of science, art or literature, but they did their part in a work no less important, that of adding a vast continent to the civilized world. While they were founding homes and tightening their grip on the country, they were also steadily advancing the cause of liberty." The First Americans by Thomas Jefferson Wertenbaker, p. 303, being Vol. II of A History of American Life, edited by Arthur M. Schlesinger and Dixon Ryan Fox (1927).

p. 58, n. 2: Hamlet, Act V, sc. 2, by William Shakespeare.

p. 58, n. 3: From Faust by Goethe, as translated in Carlyle's Sartor Resartus (first published in 1833), Book 1, Ch. VIII, p. 48, People's Edition.

p. 59, n. 1: Lecture on The Puritan Revolution (1899–1901) republished in Lectures on Modern History by John E. Acton (1906), p. 202.

p. 60, n. 1: New Eras: Essay on Chartism by Thomas Carlyle, Vol. 4, p. 93. In contrast with this quotation from Carlyle, J. T. Adams in his book, "The Founding of New England" (p. 97), refers to the *Mayflower* as "heavily laden with passengers, a vast amount of ghostly furniture and the first consignment of the New England conscience." The simple answer to this is that a sneer is not history and history is not a sneer. If there ever was a case of conscience it was that of the Mayflower. As Bryce says, "What these Pilgrims did desire and what brought them here was the wish to worship God in the way they held to be the right way." University and Historical Addresses by James Bryce (1913): Address on The Landing of the Pilgrims, delivered July, 1907, p. 37. The attack on American traditions, the Pilgrims, the Puritans, Washington, the Southerners, the Constitution and the Supreme Court, has gone quite far enough. William Cullen Bryant and Sidney Howard Gay in their Popular History of the United States (1876), after describing the simple habits of the common people of England in the 17th century from whom the "Pilgrim Fathers" sprang, said (Vol. 1, p. 374): "The yeomen, who lived in this rude fashion, were not called Sir or Master, as gentlemen and knights were, but plain John or Thomas. Yet they were the 'settled or staid men' — from the Saxon Zeoman — the great middle class of England, the firm foundation on which the state rested: and in 'foughten fields' the king remained among his yeomanry, or footmen, for on them he relied as his chief strength. The land they lived upon and cultivated was sometimes their own, and they often acquired wealth. Their sons were sent to the universities and the inns of court, and from the ranks of the yeomen great men and great names were given to England; to the class of gentry came recruits of fresh healthy blood, quickened by new ambitions, strong in great purposes. It was good stock from which to settle a new country."

p. 61, n. 1: History of the United States by George Bancroft, 25th ed. (1834–1862), Vol. 1, Ch. 8, p. 310.

p. 61, n. 2: A Political and Social History of the United States by Homer C. Hockett (1925), pp. 27, 28. "Bradford and Winthrop have left journals which are more than chronicles of adventure. They record the growth and government of a commonwealth. Both Bradford and Winthrop were natural leaders of men, grave, dignified, solid, endowed with a spirit that bred confidence. Each was learned. Winthrop, a lawyer and a man of property, had a higher social standing than Bradford, who was one of the Separatists of Robinson's flock at Leyden. But the Pilgrim of the *Mayflower* and the well-to-do Puritan of the Bay Colony both wrote their annals like gentlemen and scholars. Bradford's *History of Plymouth Plantation* runs

from 1620 to 1647. Winthrop's diary, now printed as the *History of New England*, begins with his voyage in 1630 and closes in the year of his death, 1649. As records of an Anglo-Saxon experiment in self-government under pioneer conditions these books are priceless." The American Spirit in Literature by Bliss Perry (1918), pp. 28, 29, being vol. 34 of Chronicles of America.

p. 61, n. 3: Senator Lodge when young saw in London a monument labelled "Franklin." He was indignant because it was not the real Franklin but a British naval officer. Later Lodge wrote: "I know now that the inscription merely represents a solid British habit of claiming everything, ignoring the rest of mankind, and enlarging to the utmost their own achievements, both great and small, upon the entirely sound principle that a constant and fearless assertion of one's own virtues will lead a considerable proportion of a very busy and somewhat indifferent world to take one at one's own valuation." A Frontier Town and Other Essays by Henry Cabot Lodge (1906): Essay on Franklin, p. 250. Ratcliffe says "As all who know them are driven to agree, the British are endowed with an almost unlimited self-assurance, a sense of their own rightness, a conviction of their superiority to all 'foreigners,' a complacency which refuses to admit, that any portion of the earth can be equal to their own land. And this self-assurance is above all class distinctions." Immigrant Backgrounds, edited by Henry Pratt Fairchild (1927): Article on The British by S. K. Ratcliffe, p. 25.

p. 62, n. 1: Henry James, the American, said in 1861: "I lived, recently, nearly a year in St. John's Wood in London, and was daily in the habit of riding down to the city in the omnibus along with my immediate neighbors, men of business and professional men, who resided in that healthy suburb, and fared forth from it every morning to lay up honest, toilsome bread for the buxom domestic angels who sanctified their homes, and the fair-haired cherubs who sweetened them. Very nice men, to use their own lingo, they were, for the most part; tidy, unpretending, irreproachable in dress and deportment; men in whose truth and honesty you would confide at a glance; and yet, after eight months' assiduous bosom solicitation of their hardened stolid visages, I never was favored with the slightest overture to human intercourse from one of them. I never once caught the eye of one of them. If ever I came nigh doing so, an instant film would surge up from their more vital parts, if such parts there were, just as a Newport fog suddenly surges up from the cold remorseless sea, and wrap the organ in the dullest, fishiest, most disheartening of stares. They took such extreme pains never to look at one another, that I knew they must be living men, devoutly intent each

on disowning the other's life; otherwise I would well have believed them so many sad well-seasoned immortals, revisiting their old London haunts by way of a nudge to their present less carnal satisfactions. I had myself many cherished observations to make upon the weather, upon the lingering green of the autumn fields, upon the pretty suburban cottages we caught a passing glimpse of, upon the endless growth of London, and other equally conservative topics; but I got no chance to ventilate them, and the poor things died at last of hope deferred. The honest truth is what Dr. Johnson told Boswell, that the nation is deficient in the human sentiment. 'Dr. Johnson,' says Boswell, 'though himself *a stern, true-born* Englishman, and fully prejudiced against all other nations, had yet discernment enough to see, and candor enough to censure, the cold reserve among Englishmen toward strangers (of their own nation). "Sir," said he, "two men of any other nation who are shown into a room together, at a house where they are both visitors, will immediately find some conversation. But two Englishmen will probably go each to a different window and remain in obstinate silence. Sir, we do not, as yet," proceeded the Doctor, "understand the common rights of humanity."' . . . It is this unchallenged primacy of the moral life over the social life of England, this intense sensibility among her scholars to personal claims over human claims, which so exalts her Pharisaic pride and abases her true spirituality, which leaves her outwardly the greatest and inwardly the poorest of peoples, and makes the homesick because better-nurtured foreigner feel, when exposed to it, how dismal and dingy the very heaven of heavens would become if once these odiously correct and lifeless white-cravatted and black-coated respectabilities should get the run of it." Orations collected by Brooklyn Public Library: Oration by Henry James, pp. 14–16.

p. 62, n. 2: American Ideals by Clayton Sedgwick Cooper (1915), p. 108 (Vol. 8 of "The American Books"). Ralph Waldo Emerson in his English Traits (Wealth) says as to England: "There is no country in which so absolute a homage is paid to Wealth."

p. 62, n. 3: See Beginnings of New England by John Fiske (1901), pp. 170, 171.

p. 63, n. 1: History of the English Colonies in America by Henry Cabot Lodge (1881), p. 473.

p. 63, n. 2: As Professor Wendell of Harvard says in The Cambridge Modern History, edited by Lord Acton (an English work — 1903), Vol. VII, Ch. XXIII on The American Intellect, pp. 725, 736, 751. "The national character of the United States preserves, far more than that of England, the traits which the founders of the colonies shared with their fellow-countrymen

in the first half of the seventeenth century. In other words, the origin of the characteristics of modern America is to be sought in Elizabethan England: for the first settlers of Jamestown, of Plymouth, and of Massachusetts alike, so far as they were of mature years, were Englishmen born in the reign of Queen Elizabeth. This does not mean, of course, that modern America is an isolated survival of that elder England which vanished in the Civil Wars of the seventeenth century. It does mean, however, that to understand modern America, it is desirable to remember that its ways parted from those of England in the days when men born under the Virgin Queen were in their prime. And the surprising power of assimilation which that vigorous race has shown from the beginning has combined with comparative stability of internal circumstances to preserve in America more traces of Elizabethan England than have survived in the mother-country. Virginia is a name which still suggests an element of lasting truth. New England would be better named if, in the course of generations, it had come to be called Old. And the deep mutual misunderstanding which resulted in the American Revolution arose more from changes in the national temper of England than from changes in America itself. In some important respects the New World has not speeded ahead of the Old; it has rather lingered behind it. . . .

"Like the Elizabethan English, from whom they can trace their national descent, the Americans are fond of lofty principles; like them again, they are eminently practical in their conduct of daily affairs; and — another point of resemblance — they are apt to trouble themselves very little concerning the logical harmony of edifying precept and efficient practice. The justification of their inconsistencies must be found, as is the case with that older England, in the thoughtless honesty with which they youthfully ignore them. . . .

"As we have seen, the native character of the Americans may be traced to that phase of English character which was most potent in the days when the American colonies were founded. The original divergence between the English character and the American occurred in days when mature men were still of Elizabethan birth. And throughout the course of their national history, Americans have never quite lost the wonderful old Elizabethan fusion of firm faith in ideals with versatile and swiftly sensible management of practical affairs. In ideal philosophy, they will seek the simple essentials of truth; in practical life, they still show a tendency to do, simply and instinctively, the essential thing; and in the simplicity of heart which is still theirs, they never quite understand how far from consistent their lofty phrases and their work-a-day deeds may seem to unsympathetic observers."

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Professor Wendell also says (pp. 723, 724), with a great deal of force:

"Since the Revolution the type of national character has changed very little. The country which to-day absorbs and buries the divers nationalities of Europe is essentially the same which, in the reign of King George III, declared its independence of England. The typical American of 1900 is, on the whole, more like his ancestor of 1775 than is the typical Englishman. For this an adequate reason may easily be found. On the whole, the conditions of American life have altered less, in the last century and a quarter, than the conditions of English life; and it is as true of nations as it is of human beings or any other organisms that, if the conditions surrounding them remain stable, their chief characteristics will not be prone to radical change. Accordingly, we find ourselves, in our search for the origin of American nationality, carried back to a point before that nationality declared itself politically independent. The new race, which, despite itself, has at last attained imperial power, is the same English-speaking race which, four or five generations ago, broke the bonds that held it to the mother-country.

"In 1775, no doubt, the American colonies were already of somewhat mixed blood; yet the great stream of immigration, which has been assumed to be the chief source of the difference between Americans and Englishmen, did not begin to flow till more than two generations after that date. It is hardly excessive to say that the Americans of 1775 were, in the main, as English in their traditions and their temper as they were in their language."

p. 64, n. 1: Beginnings of New England by John Fiske (1901), pp. 173, 174.

p. 64, n. 2: *Id.*, p. 174. Savage says, "From long and careful research I have charged the proportion of the whole commonwealth living here in 1775, that deduce their origin from the Kingdom of England, *i.e.*, the Southern part of Great Britain, excluding also the principality of Wales, to exceed 98 in a hundred." Preface, p. vi of Genealogical Dictionary of the First Settlers of New England, showing three generations of those who came before May, 1692, on the basis of Farmer's Register, by James Savage (1860). On this same page of the Preface Savage also says: "Even if our views be restricted to the lineal origin of those people here, when the long protracted impolicy of Great Britain drove our fathers into open hostility and forced them to become a nation in 1776, in that century and a half from its colonization, a purer Anglo-Saxon race would be seen on this side of the ocean than on the other. Within 40 years a vast influx of Irish, with a few thousand Scotch and Germans, has spread over this new country, but certainly more than four-fifths of our people still count their progenitors among the ante-revolutionary colonists."

p. 64, n. 3: Our Foreigners by Samuel P. Orth (1920), p. 215. (Vol. 35 of Chronicles of America Series.)

p. 65, n. 1: Our Republic by S. E. Forman (1922), p. 21. A. Wyatt Tilby (English) says in his The English People Overseas, 2nd ed. (1911), Vol. I, pp. 76, 77: "Yet it would be incorrect to speak of Massachusetts as a democracy; it was rather a theocracy. There was neither Catholic priest nor Anglican parson; but the puritan minister was equally tyrannical and desirous of power. The religious feeling of the colony supported him; a sermon was the remedy for every ill and an integral part of every debate. Nor was there any religious tolerance in the laws. In 1631 it was enacted that nobody should be a freeman of Massachusetts unless professing membership of a church. Those who disagreed were persecuted and practically outlawed. The non-conformist was as rigid in his insistence on conformity as those from whom he had dissented." Lodge says: "In the beginning, and entirely in accordance with the belief and practice of the time, the settlers of New England established a state church. They carried this theory in the ardor of their religious zeal to its extremest verge, for they actually made the church and State one. The freeman and voter of the colony at the outset could be such only by being also a member of the church. The meeting-house was the church, the cornerstone of every organized town, and the people who governed the one controlled the other. The most extreme features of the system, as well as the rigid intolerance which it implied, were largely modified before the seventeenth century had closed, but the influence of the church on politics continued; and it was not until two hundred years after the settlement of Plymouth that the last vestiges of the union of the church and State in Massachusetts were removed by constitutional amendment. . . . The State meddles with no man's conscience, and every man is free to follow his own religious convictions. But let it be remembered that this noble attitude of the State is a corollary of the proposition that no church as such must meddle with the State, that religious beliefs must be kept out of politics, and that no dollar of the public money contributed by all the people must be expended for the benefit of any sect including only a part of the people. Easy forgetfulness of this truth, any relaxation in the line which separates church and State made either by the church or State strikes at the very roots of our institutions, and would open the door to let uncounted evils rush in upon us." A Frontier Town and Other Essays by Henry Cabot Lodge (1906): Address on Certain Principles of Town Government, 239, 240.

p. 65, n. 2: "It is significant of the New England fathers that they cast out many laws as worse than useless, and modified all punishments in the

direction of leniency. Thus, the English law (which by order of the King must govern the Bay Colony) made over two hundred offenses punishable by death, with attendant mutilation of the victim. In defiance of royal orders, the fathers reduced the number of death offenses to three or four, and abolished all subsequent horrors. Torture, which was common in all European law courts, was not permitted in New England. Again, if men were caught in rebellion the leaders were hanged, drawn, and quartered; men in the ranks were packed into loathsome prison ships, and sold into life-slavery in distant places. The first case of this kind to come before the Bay Colony occurred in 1651, when Cromwell sent rebels taken in battle to Governor Belcher, with orders that they be sold into slavery for life. Cromwell in his power was a dangerous man to cross; but the fathers did it, and had their way. John Cotton sent the decision of the General Court to the Lord Protector, as follows: 'Concerning the Scots rebels, whom God delivered into your hands at Dunbar, and whereof sundry were sent hither, we have been desirous to make their yoke easy. Such as were sick of the scurvy or other diseases have not lacked physic or surgery. They have not been sold as slaves to perpetual servitude, but for six or seven years. He that bought them buildeth houses for them, for every four a house, and layeth some acres of ground thereto, which he granteth them as their own. . . . Three days in the week they work for him, and three days for themselves. He promiseth, as soon as they can repay him the (purchase) money he layeth out for them, that he will set them at liberty.'" An Apology for the Puritan by Brendan Lee, Harper's Magazine for July, 1928. Palfrey says of the Massachusetts "Body of Liberties" of 1641: "The English law of the time denounced capital punishment against more than thirty offences. The Body of Liberties reduced the number to ten." Compendious History of New England by John G. Palfrey (1873), Vol. 1, pp. 281, 282.

p. 65, n. 3: Lois K. Mathews in The Expansion of New England (1909) points out (p. 163) that Presbyterianism supplanted Congregationalism in New York State and farther west because the congregations were too poor to sustain a minister for themselves and hence by an "accommodation system" formed a Presbytery to have the advantage of united support from their neighbor churches; in short they preferred a larger organization (p. 205). The absolute independence of each Congregational church in New England was gradually modified because it did not work well. Palfrey says: "In New England, from an early period of its history, we find instances of a church encouraged or expostulated with by another church, or by churches, or by Magistrates, or by ministers, on occasions of special interest, or on apprehensions of erroneous belief or practice. With the bene-

fit of the experience of nearly twenty years, and in the light of the events which have last been related, the discerning minds of Cotton, Hooker, Norton, and their associates, saw the expediency of giving permanence to a system of mutual supervision and influence. Accordingly the Cambridge synod formally recognized the prerogative of occasional councils, composed of 'elders and other messengers' of churches, to give advice and admonition, and in extreme cases to withhold fellowship (or participation in religious services and functions) from an offending church, 'but not to exercise church censures in way of discipline, nor any other act of church authority or jurisdiction.'" Compendious History of New England by John G. Palfrey (1873), Vol. 1, pp. 330, 331.

p. 66, n. 1: History of the United States by Richard Hildreth (1848–1852), Vol. 2, p. 250.

p. 66, n. 2: See The Colonial Mind by Vernon Louis Parrington (1927), p. 87.

p. 66, n. 3: "When the news of Lexington and Bunker Hill arrived, parson after parson left his parish and marched hastily toward Boston. Before daylight on the morning of April 30, 1775, Stephen Farrar, of New Ipswich, New Hampshire, left with ninety-seven of his parishioners. Joseph Willard, of Beverly, marched with two companies from his town, raised in no small part through his exertion. David Avery, of Windsor, Vermont, after hearing the news of Lexington, preached a farewell sermon, then, outside the meeting-house door, called his people to arms and marched with twenty men. On the way he served as captain, preached, and collected more troops. David Grosvenor, of Grafton, left his pulpit and, musket in hand, joined the minute men who marched to Cambridge. Phillips Payson, of Chelsea, is given credit for leading a group of his parishioners to attack a band of English soldiery that nineteenth day of April. Benjamin Balch, of Danvers, Lieutenant of the third alarm-list in his town, was present at Lexington and later, as chaplain in army and navy, won the title of 'the fighting parson.' Jonathan French, of Andover, Massachusetts, left his pulpit on the Sabbath morning, when the news of Bunker Hill arrived, and with surgical case in one hand and musket in the other started for Boston." The New England Clergy and the American Revolution by Alice M. Baldwin (1928), pp. 162, 163.

On the evening just before the battle of Bennington, which led to the surrender of Burgoyne in 1777, Nickerson says of General Stark, the American commander: "A little after midnight on Friday night Stark was awakened in order to listen to a sort of sermon. A force of militia from Berkshire County, the westernmost county of the State of Massachusetts, had arrived;

and the contingent from the town of Pittsfield was unclerically commanded by their Congregational minister, Parson Thomas Allen. This worthy insisted upon being heard and at once. Entering the log cabin in which the brigadier was trying to sleep, he announced that the Berkshire men had often been called out to fight the enemy, but never permitted to do so. If Stark did not let them fight now, they had determined never to turn out again. Stark knew his compatriots through and through. He kept his temper and answered the warlike minister with a pious phrase. 'Would you go now on this dark and rainy night? Go back to your people and tell them to get some rest if they can, and if the Lord gives us sunshine to-morrow and I do not give you fighting enough, I will never call on you to come again.'" Another account states that "Among the many brave militia who were in the action yesterday, at Bennington, the Reverend Mr. Allen, of Pittsfield, ought not to be omitted. At the commencement of the action, he marched up within a few yards of the enemy's breastworks, and demanded a surrender of the same in the name of the Congress, on which he received a shower of balls, accompanied with the epithet of a 'damn'd bold Yankee.' Mr. Allen, however, soon returned at the head of the Pittsfield militia, and was one of the first over the breastwork." Diary of the American Revolution by Frank Moore (1859), Vol. 1, p. 482. Nickerson also says as to Stark's hurried call to arms of the farmers: "A colonel of militia rode all Saturday night, dismounted at the door of Concord Meeting House and strode stiffly up the aisle in the midst of the Sunday sermon. The preacher paused, asked his message, heard it, and said, 'My hearers, those of you who are willing to go better go at once.' Whereat every man in the congregation rose and walked out, and after a night of preparation a company was ready to march in the morning." The Turning Point of the Revolution by Hoffman Nickerson (1928), pp. 246, 247, 228, 229.

Those were men.

p. 66, n. 4: Compendious History of New England by John G. Palfrey (1873), Vol. 1, p. 287.

p. 66, n. 5: The Price of Freedom (1924): Address on The Pilgrims by Calvin Coolidge, pp. 13, 14.

p. 66, n. 6: The Price of Freedom (1924): Address on Massachusetts and the Nation, by Calvin Coolidge, p. 251. The quiet, industrious and just life of the Pilgrim settlement at Plymouth and its fairness in religion and in its relations with the Massachusetts Bay Colony and others are set forth in Palfrey's Compendious History of New England (1873), Vol. 1, pp. 61–89, 141–147, 241–245, 393, 394. No shadows are found in the history of that community.

p. 66, n. 7: History of the United States by George Bancroft, 25th ed. (1834–1862), Vol. 1, p. 322.

p. 67, n. 1: The America of Today, edited by Gaillard Lapsley (1919): Lecture on English Influence on Ideals by H. D. Hazeltine, p. 18. Brendan Lee in an article in Harper's Magazine for July, 1928, entitled "An Apology for the Puritan," said: "One shadow hung darkly over the Puritans even as they landed, all their problems unsolved. Ahead of them were the Pilgrims, who had already claimed much of the land and put up their no-trespass sign on the fur trade. Moreover, these less wealthy and more democratic men of Plymouth had their own ideas of politics, trade, and religion, which were different from the Puritan ideas. Here certainly was an occasion of strife, meanly political, tensely economic, bitterly religious. And how did the New England fathers meet it? Winthrop and some of his magistrates went down to Plymouth, where they met Governor Bradford, Elder Brewster, and other of the Pilgrim leaders. In the original record we read, 'There they assembled together, partook of the Holy Communion, engaged in religious discussion, and joined in a contribution for the poor of the Colony.' As a result of the religious 'discussion' the Puritans, who were members of the Church of England, decided that the Pilgrim Church, with its independent local government, was more suitable for this wide free land, and resolved to adopt it as their own. Intolerance? Where in all the turbulent histories of politics and religion will you find another such example of Christian conduct?"

p. 67, n. 2: Vernon Louis Parrington in The Colonial Mind (1927), being Vol. 1 of Main Currents in American Thought, says (pp. 16–18), "Except in matters of doctrine Pilgrim and Puritan consorted ill together. Their social antecedents were as unlike as their views on political and religious institutions. The intellectual leaders of Plymouth — whatever may be said of the London adventurers who joined the Holland group — had been nurtured in Elizabethan radicalism. They were Brownist-Separatists of plebeian origins. . . . On their removal to America they brought with them a consciously democratic church order, that met their simple needs and had taken shape from the experience of daily life. This democratic model of church government was spontaneously supplemented by the plantation covenant of civil government drawn up aboard ship, which was to serve as the organic law of the new commonwealth. Two cardinal principles — which at bottom were one — thus found their way to New England in the Mayflower: the principle of a democratic church and the principle of a democratic state. . . . The capable leaders who created the early constitution of the Massachusetts Bay colony were Jacobean Englishmen of middle

station, halfway between the aristocrat and the burgess, with certain salient characteristics of both. Fashioned by a caste society, they transported to the little commonwealth an abundant heritage of class prejudice. They aspired to be reckoned gentlemen and to living in the new world as they had lived in the old, in a half feudal state, surrounded by many servants and with numerous dependents. They honored rank, were sticklers for precedence, respected class distinctions, demanded the hereditary rights of the gentry. They had been bred up in a static order where gentlemen ruled and the people obeyed, and they could not think in terms of the Plymouth plantation covenant, subscribed by all heads of families. To the modern reader of his journal there is something almost childish in Winthrop's insistence on public deference to his official position and his grief when the halberd-bearers refused to provide the usual formality to his little progresses." Palfrey says: "The planters at Plymouth had no new scheme of church order to devise. Theirs was the scheme of the English Independents, already put in practice and amended by themselves in Europe. . . . A church was a company of believers, associated together by a mutual covenant to maintain and share Christian worship and ordinances, and to watch over each other's spiritual condition." Compendious History of New England by John G. Palfrey (1873), Vol. 1, p. 285.

p. 67, n. 3: A Political and Social History of the United States by Homer C. Hockett (1925), p. 23. West says: "The first voters were the forty-one signers of the Mayflower Compact. Twenty-five adult males did not sign. Some of these were regarded as represented by fathers who did sign, and eleven were servants or temporary employees; but the absence of other names can be explained only on the ground that certain men did not wish to sign or that they were not asked to do so. Those who did sign made up the original Assembly. Thereafter, the Assembly admitted to citizenship as it saw fit. For a time it gave the franchise to nearly all men who came to the colony. But in 1660 a law required that new voters must have a specified amount of property; and after 1671 the franchise was restricted further to those who could present 'satisfactory' proof that they were 'sober and peaceable' in conduct and 'orthodox in the fundamentals of religion.'" Story of American Democracy by Willis Mason West (1922), p. 59. "By 1630" says Charles M. Andrews in The Fathers of New England (1919), pp. 17–19, being vol. 6 of Chronicles of America, "the Plymouth colony was fairly on its feet and beginning to grow in 'outward estate.' The settlers increased in number, prospered financially, and scattered to the outlying districts; and Plymouth the town and Plymouth the colony ceased to be identical. Before 1640, the latter had become a cluster of ten towns, each

a covenanted community with its church and elder. . . . The right to vote was limited at first to those who were members of the company and liable for its debt, but later the suffrage was extended to include others than the first-comers, and in 1633 was exercised by sixty-eight persons altogether. In 1668 a voter was required to have property, to be 'of sober and peaceable conversation,' and to take an oath of fidelity, but apparently he was never required to take the oath of allegiance to the Crown. So rapidly did the colony expand that, by 1639, the holding of a primary assembly in Plymouth town became so inconvenient that delegates had to be chosen. Thus there was introduced into the colony a form of representative government, though it is to be noted that governor, assistants, and deputies sat together in a common room and never divided into two houses, as did the assemblies in other colonies." Palfrey says: "In Plymouth and Connecticut, the franchise was conferred on inhabitants of the respective towns by the votes, or on the recommendation addressed to the General Court, of such as were already freemen or residents of the towns. But though church-membership was in neither of those colonies an essential legal qualification for citizenship, still, in them too, a religious character in the candidate, such as naturally led to church-membership, and was commonly found in union with it, was much regarded by the electors as a recommendation to their favor; and statutes of a later period, providing that a candidate must be of 'a peaceable and honest conversation,' and 'orthodox in the fundamentals of religion,' are naturally understood as formal enactments of what had been the primitive practice. . . . In Plymouth and Connecticut, where the association between church-membership and citizenship was not determined by law, there was less action of the government upon ecclesiastical affairs." Compendious History of New England by John G. Palfrey (1873), Vol. 1, pp. 272, 288. Palfrey also says: "The earliest colonial code of statutes was that of Plymouth. Established when the colony had existed sixteen years, it was not framed upon any theory of conformity to the Jewish law, or to the law of England, but consisted of such provisions as, on general principles of jurisprudence, and with the experience which had been obtained, appeared suitable to secure the well-being of the little community. It allowed authority to such laws only as were enacted by the body of the freemen, or by their representatives legally assembled. It recognized eight capital offences, and made other crimes punishable at the discretion of the Magistrates. In transfers of real estate, it required acknowledgment before a Magistrate, and a public record. . . . The retail sale of liquors, except in private houses, was forbidden." *Il.*, p. 278; also p. 241.

p. 67, n. 4: See The English People Overseas by A. Wyatt Tilby, 2nd ed. (1911), Vol. I, p. 65.

p. 68, n. 1: The Early American Spirit and the Genesis of It by Richard S. Storrs (1878), p. 24. "Although the pilgrims had thus advanced far from their earlier helplessness, their numbers were still small. In 1624 there were but a hundred and eighty inhabitants in Plymouth; five years afterwards, when further emigrants arrived from Holland, there were three hundred. The severe climate and the hardships of life killed off the weak; some also were discouraged and returned to England. Early marriages and large families were the rule among the settlers, but the lack of comforts caused a heavy death-rate among the children. By the process of ruthless weeding-out which took place here and indeed everywhere among the puritan colonists, a race of strong and masterful men was created, that later times knew in the wire indefatigable Yankee." The English People Overseas by A. Wyatt Tilby, 2nd ed. (1911), Vol. I, pp. 70, 71.

p. 68, n. 2: In a celebrated sermon Jonathan Edwards, the most famous of New England preachers, terrified his congregation by saying: "The God that holds you over the pit of hell, much as one holds a spider, or some loathsome insect, over the fire, abhors you and is dreadfully provoked; his wrath towards you burns like fire; he looks upon you as worthy of nothing else but to be cast into the fire; he is of purer eyes than to bear to have you in his sight; you are ten thousand times as abominable in his eyes, as the most hateful and venomous serpent is in ours. You have offended him infinitely more than ever a stubborn rebel did his prince; and yet it is nothing but his hand that holds you from falling into the fire every moment; it is ascribed to nothing else that you did not go to hell the last night; that you was suffered to wake again in this world, after you closed your eyes to sleep; and there is no other reason to be given why you have not dropped into hell since you arose in the morning, but that God's hand has held you up; there is no other reason to be given why you have not gone to hell, since you have sat here in the house of God, provoking his pure eyes by your sinful wicked manner of attending his solemn worship: yea, there is nothing else that is to be given as a reason why you do not this very moment drop down into hell." Quoted in Woman's Life in Colonial Days (1922) by Carl Holliday, pp. 18, 19. In another sermon he pointed out how those in heaven would enjoy the unending torture of those in hell. He said: "They will rejoice in seeing the *justice* of God glorified in the sufferings of the damned. This misery of the damned, dreadful as it is, is but what justice requires. They in heaven will see and know it much more clearly than any of us do here. They will see how perfectly just and righteous their punish-

ment is and therefore how properly inflicted by the supreme Governor of the world. . . . They will rejoice when they see him who is their Father and eternal portion so glorious in his justice. The sight of this strict and immutable justice of God will render him amiable and adorable in their eyes. It will occasion rejoicing in them, as they will have the greater sense of *their own happiness*, by seeing the contrary misery. . . . When they shall see how miserable others of their fellow-creatures are, who were naturally in the same circumstances with themselves; when they shall see the smoke of their torment, and the raging of the flames of their burning, and hear their dolorous shrieks and cries, and consider that they in the meantime are in the most blissful state, and shall surely be in it to all eternity; how will they rejoice!" *Id.*, pp. 19, 20.

Jonathan certainly went far in the fear of the Lord, but a reaction came in the shape of his grandson, Aaron Burr, who went equally far in the opposite direction in the environment of New York.

p. 68, n. 3: There was Webster. He met Carlyle in London in 1839. Carlyle then wrote Emerson: "He is a magnificent specimen; you may say to all the world, This is your Yankee Englishman, such Limbs *we* make in Yankeeland! As a Logic-fencer, Advocate or Parliamentary Hercules, one would incline to back him at first sight against all the extant world. The tanned complexion, that amorphous craglike face; the dull black eyes under their precipice of brows, like dull anthracite furnaces, needing only to be *blown;* the mastiff-mouth, accurately closed: — I have not traced as much of silent *Berserkir* rage . . . in any other man." Quoted in American Debate by Marion Mills Miller (1916), Vol. 1, p. 355. See also Emerson's Works, Concord edition, Vol. II, p. 589, note. Webster lost his popularity by his speech in the Senate March 7, 1850, carrying through Clay's Compromise with the South. But that compromise gave a respite of ten years and during those ten years the North increased so rapidly in population, wealth, manufacturing and agriculture; the growth of national spirit was so pronounced, due to Kansas and the arrogance of Southern Congressmen; the economic shift of the West from the Mississippi river to east and west railroads as an outlet; and the wonderful growth of the Pacific states due to the discovery of gold — all enabled the North in 1861–1865 to conquer the South, but only by a narrow margin. If secession had taken place in 1850 the South in all probability would have succeeded. The Nullification by South Carolina in 1832 was different. Not only was Jackson ready to crush it like an egg shell, but the rest of the Southern States were not willing to follow South Carolina and break up the Union.

As to Calhoun, the following is from Grattan, British consul in Boston

for a number of years. He knew Calhoun quite well and wrote of him: "He was a striking instance of the danger of individuals 'missing their vocation.' He had qualities well suited to the management of details. I am assured that he made an excellent Secretary of War, and later still an efficient Secretary of State, doing the routine business of his offices with scrupulous industry. But a 'too vaulting ambition' forced him into the wholesale line in politics. A subordinate station would not satisfy him. Nothing short of the Presidential throne seemed a fitting seat for his self-esteem. He was consequently forced to grapple with all the great questions of state policy; and every one of them proved too strong for him. Without having studied metaphysics he gave himself up to abstractions; and, with a remarkable mental shortsightedness, he ventured to throw a glance across the whole extent of human affairs. His mistakes were numberless. He continually confounded matters, persevering in his blunders with an obstinacy which ruined him with all the parties to which he had in turns belonged." Civilized America by Thomas Colley Grattan (1859), Vol. 1, p. 181. This is not the only instance in which an American has made a good Governor of a State, but when transferred to national affairs has been a lamentable failure.

p. 68, n. 4: Senator Hoar of Massachusetts, born and raised at Concord, says: "Sunday was kept with Jewish strictness. The boys were not allowed to go out-of-doors except to church. They could not play at any game or talk about matters not pertaining to religion. They were not permitted to read any books except such as were 'good for Sunday.'" This was severe but it put iron into the man. The Senator continues, "Doctor Ripley, the minister in Concord, was an old man who had been settled there during the Revolutionary War, and was over the parish sixty-two years. He was an excellent preacher and scholar, and his kindly despotism was submitted to by the whole town. His way of pronouncing would sound very queer now, though it was common then. I well remember his reading the lines of the hymn —

Let every critter jine
To praise the eternal God."

The Senator further says: "I account it one of the chief blessings of my life that my boyhood was spent in the pure, noble and simple society of the people of Concord. I am afraid I did not do it much credit then. Old Dr. Bartlett, one of the worthiest and kindliest of men, but who always uttered what was in his heart, said after my two oldest brothers and I had grown up, that Samuel Hoar's boys used to be the three biggest little rascals in Concord, but they all seemed to have turned out pretty well." Autobiography of Seventy Years by George F. Hoar (1903), Vol. 1, pp. 46–49, 59.

p. 69, n. 1: Lay Thoughts of a Dean by William R. Inge (1926): Essay on American Character, p. 136. Professor Hayes says: "In general during the first fifteen centuries of the existence of the Christian Church, commercialism in Europe did not have the blessings of organized religion. The whole-hearted pursuit of economic gain by the righteous was thus impossible. It was only the relatively few persons who did not feel dependent upon the Church who were free to pursue zealously their economic advantage. In the middle of the fifteenth century, the able religious leader, John Calvin, sounded a new note. He approved of the taking of interest, and encouraged his parishioners in their endeavors to make money. Calvin's philosophy in regard to economic activity reached its fruition under the Puritans. They made the economic virtues under the system of private property into religious virtues. It was emphasized that men must work hard. There was to be no self-indulgence, no loafing, no dancing, and no card playing. Service to God came to be synonymous with unremitting toil and the accumulation of property. Business success came to be practically a sign of spiritual grace. Rather than the idea, 'Whom the Lord loveth, he chasteneth,' the Puritan philosophy became, 'Whom the Lord loveth, he prospereth.'" Our Economic System by H. Gordon Hayes (1928), Vol. 1, pp. 76, 77.

p. 69, n. 2: Essay on Works and Days by Ralph Waldo Emerson.

p. 70, n. 1: Old Virginia and Her Neighbors by John Fiske (1901), Vol. 2, p. 394.

p. 70, n. 2: See Speeches and Addresses, 1884–1909: Speech on The Restriction of Immigration by Henry Cabot Lodge, pp. 263, 264.

p. 70, n. 3: The Revolutionary Spirit in France and America by Bernard Fay, Translated by Ramon Guthrie (1927), p. 25.

p. 71, n. 1: History of the United States by Richard Hildreth (1848–1852), Vol. 1, ch. 9, p. 267.

p. 71, n. 2: History of the United States by George Bancroft, 25th ed. (1834–1862), Vol. 1, ch. 9, pp. 367, 368.

p. 71, n. 3: Speeches and Addresses, 1884–1909: Address on The Puritans by Henry Cabot Lodge, p. 34.

p. 71, n. 4: South America Looks at the United States by Clarence H. Haring (1928), p. 69.

p. 72, n. 1: It was of the New England seamen that Burke said, "While we follow them among the tumbling mountains of ice and behold them penetrating into the deepest frozen recesses of Hudson Bay and Davis Strait; while we look for them beneath the Arctic circle, we hear that they have pierced into the opposite region of polar cold, that they are at the antipodes

and engaged under the frozen serpent of the South. Falkland Island, which seemed too remote and romantic an object for the grasp of national ambition is but a stage and resting-place in the progress of their victorious industry. Nor is the equinoctial heat more discouraging to them than the accumulated winter of both the poles. We know that while some of them draw the line and strike the harpoon on the coast of Africa, others run the longitude and pursue their gigantic game along the coast of Brazil. No sea but what is vexed by their fisheries, no climate that is not a witness to their toil. Neither the perseverance of Holland, nor the activity of France, nor the dexterous and firm sagacity of English enterprise ever carried this most perilous mode of hardy industry to the extent to which it has been pushed by this recent people — a people who are still, as it were, in the gristle and not yet hardened into the bone of manhood." Quoted in the Merchant Marine by Rear Admiral William S. Benson (1923), pp. 47, 48.

p. 72, n. 2: See also as to comparative populations p. 92, *supra*.

p. 74, n. 1: Old Virginia and Her Neighbors by John Fiske (1901), Vol. 2, p. 29. Bryant says of the four years after the battle of Naseby and the loss of the royal cause in England (1645–1649), "These four years saw an unusual addition to the population of the colony — unusual both in numbers and in character. At a time when immigration to New England had greatly fallen away, — the English Puritans seeing a better day in their own land and having few of the old motives to leave it, — precisely opposite reasons brought to Virginia companies of royalists whose fortunes the war had wrecked, or who had with difficulty saved a little competence from the impending ruin. They came by hundreds to the one spot in the new world in which their king, their traditions, and their church were still respected; and they brought with them their old way of life, — the way of court and camp; the careless luxury and careless morality which were abominations to their Roundhead adversaries. The death of Charles sent many even of his most persistent adherents to America. . . . Each substantial manor was filled during these years with guests enjoying the liberal hospitality of a time when crops were plenty, and the abundance of fish and game had not been diminished. For a while the little capital of Jamestown was lively with these shabby cavaliers, their pockets as empty, their swords as ready in a brawl, their hands as averse to labor, and their spirits as irrepressible as the most reckless and most worthless of their kind at home. Some at length took up plantations for themselves, waiting the more prosperous days of the Restoration, while others who were altogether as ruined in purse as in reputation became dispersed among the ordinary people of the province." Popular History of the U. S. by William Cullen Bryant and Sydney

Howard Gay (1878), Vol. II, pp. 206–208. A. Wyatt Tilby (English) says in his The English People Overseas, 2nd ed. (1911), Vol. I, p. 93: "Many a needy, broken cavalier from England made his way towards Virginia, to recruit his fortunes there among a more sympathetic society than was left at home. They came merely till the evil days had passed away: but when the monarchy was restored in England, those who had been successful did not again return. Among the old families who emigrated were the Washingtons of Westmoreland, one of whose descendants a century later fought bravely in the cause of liberty against the throne his ancestors had succoured."

p. 74, n. 2: The Old World in the New by Edward A. Ross (1914), p. 7. The Rise of American Civilization by Charles A. and Mary R. Beard (1927) says (Vol. 1, p. 128) that "after a survey of genealogical tables, Wertenbaker came to the conclusion that 'a careful collection of the names of the Cavaliers who were prominent enough to find a place in the records shows that their number was insignificant.' He could report only three families in all Virginia 'derived from English houses of historic note' and three more that sprang from 'the minor gentry.' So the verdict was rendered that Virginia was settled by merchants, shipping people, yeomen, indentured servants, and slaves." Morison says: "The 'First Families of Virginia,' although in few instances related to the county families of England, held the corresponding place in the community. They reproduced the high sense of honour and public spirit of the English aristocracy, and preserved the amenities of English country life. They frequently combined planting with the practice of law, but left trade to their inferiors, commerce to the agents of British mercantile firms, and navigation to the Yankees." In a note he says: "Books by recent Virginia historians, such as T. J. Wertenbaker's Planters of Colonial Virginia, have exploded the nineteenth-century tradition that the 'F.F.V's' were descended from 'Cavaliers.' Except for a few families such as the Randolphs, they came of the same middle-class, petty squire, and yeoman stock as the early settlers of New England; but their social and economic system had bred an aristocratic attitude and mode of life." Oxford History of the United States by S. E. Morison (1927), Vol. 1, pp. 29, 30.

p. 75, n. 1: Philip A. Bruce in his Economic History of Virginia in the Seventeenth Century (1896), Vol. 2, pp. 567, 568, says: "The isolation of life which the large plantation created and promoted, discouraged the growth of towns and villages, not only by diminishing all tendency towards coöperation among the people, but also by simplifying the interests of each community. Each plantation stood apart to itself. It had its separate

population; it had its own distinct round of occupations; it had its own laborers, its own mechanics. It either produced its own natural and manufactured supplies or it imported them from abroad. There was no mutual dependence among plantations such as would have been observed if the estates had been small, which would have signified a division of labor."

p. 75, n. 2: "Whatever its ultimate effect might be, slavery brought immediate prosperity to the south. And it also perpetuated and deepened the aristocratic feelings which had always been more or less in evidence. The Virginian planter became the local lord, with far more influence than the nobility possessed in England. There were no towns beyond the capital, and no hotels; but the boundless hospitality of the planters provided the traveller with all that was needful. The planters were the magistrates of their districts, and the greater landowners were very autocrats. To say that they abused their power at times is merely to admit that they were human beings: but, upon the whole, unless self-interest tempted them strongly, their actions were moderate and benevolent." The English People Overseas by A. Wyatt Tilby, 2nd ed. (1911), Vol. I, p. 198.

p. 75, n. 3: The following is a summary from Allan Nevins on "The American States During and After the Revolution" (1924): Entail was abolished in Virginia in 1776 and primogeniture in 1785. Georgia abolished both entail and primogeniture in 1777. North Carolina abolished entail in 1784 and at the same time changed the law as to distribution of the property of intestates. In South Carolina entail was abolished just before the Revolution but primogeniture remained until 1791. In Maryland primogeniture was abolished in 1786. New York abolished entail in 1786 and divided real estate owned by an intestate among the children, and a year later the same division was made as to personal property. In New Jersey, Pennsylvania, Delaware, and the four New England states the eldest son took a double share of the land. This was gradually changed. (pp. 441–443.)

p. 75, n. 4: Andrew Burnaby in his "Travels Through the Middle Settlements in North America in the Years 1759–60" (See Readings in American History, edited by James Alton James — 1914 — pp. 122, 123), says, "The public or political character of the Virginians, corresponds with their private one: they are haughty and jealous of their liberties, impatient of restraint, and can scarcely bear the thought of being controuled by any superior power. Many of them consider the colonies as independent states, not connected with Great Britain, otherwise than by having the same common king, or being bound to her by natural affection. There are but few of them that have a turn for business, and even those are by no means expert

at it . . . they think it a hardship not to have an unlimited trade to every part of the world. They consider the duties upon their staple as injurious only to themselves; and it is utterly impossible to persuade them that they affect the consumer also. However, to do them justice, the same spirit of generosity prevails here which does in their private character: they never refuse any necessary supplies for the support of government when called upon, and are a generous and loyal people. . . . Or as to the Ohio, they have suffered themselves, notwithstanding the superior advantages they might enjoy from having a water carriage almost to the Youghiogheny, to neglect this valuable branch of commerce; while the industrious Pennsylvanians seize every opportunity, or struggle with innumerable difficulties, to secure it to themselves. The Virginians are content if they can but live from day to day; they confine themselves almost entirely to the cultivation of tobacco; and if they have but enough of this to pay their merchants in London, and to provide for their pleasures, they are satisfied, and desire nothing more. Some few, indeed, have been rather more enterprising and have endeavoured to improve their estates by raising indigo, and other schemes: but whether it has been owing to the climate, to their inexperience in these matters, or their want of perseverance, I am unable to determine, but their success has not answered their expectations."

p. 76, n. 1: Professor Hart of Harvard says: "The Mountain Whites ought not to be confused with the Poor Whites of the lowlands. Although there are many similarities of origin and life, the main difference is that the mountaineers have almost no Negroes among them and are therefore nearly free from the difficulties of the race problem. In the lowlands as in the mountains, men whose fathers had settled on rich lands, as the country developed were unable to compete with their more alert and successful neighbors, who were always ready to outbid them for land or slaves; therefore they sold out and moved back into the poor lands in the lowlands, or into the belt of thin soil lying between the Piedmont and the low country. Hence the contemptuous names applied to them by the planting class — 'Tar Heels' in North Carolina; 'Sand Hillers' in South Carolina; 'Crackers' in Georgia; 'Clay Eaters' in Alabama; 'Red Necks' in Arkansas; 'Hill Billies' in Mississippi; and 'Mean Whites,' 'White Trash,' and 'No 'Count' everywhere. These so-called Poor Whites are to be found in every state in the South. They are the most numerous element in the Southern population." The Southern South by Albert Bushnell Hart (1910), p. 38. He also says (p. 40) that these Poor Whites "went into the Confederate army of which they furnished most of the rank and file, and followed Marse Robert uncomplainingly to the bitter end; and they had a good sound,

logical reason for fighting what was apparently the quarrel of their planter neighbor. A white man was always a white man, and as long as slavery endured, the poorest and most ignorant of the white race could always feel that he had something to look down upon, that he belonged to the lords of the soil. In the war he was blindly and unconsciously fighting for the caste of white men, and could not be brought to realize that slavery helped to keep him where he was, without education for his children, without opportunities for employment, without that ambition for white paint and green blinds which has done so much to raise the Northern settler. Though a voter, and a possible candidate for office, he was accustomed to accept the candidates set up by the slave-holding aristocracy. Stump speakers flattered him and Fourth-of-July orators explained to him the blessings of a republican government. The Poor White, in his lowest days, had a right to feel that he was a political person of consequence, for did he not furnish three presidents of the United States? Jackson was born a Poor White, and had some of the objectionable and most of the attractive qualities of those people; Andrew Johnson came from the upper Valley of the Tennessee; Abraham Lincoln was a Poor White, the son of a shiftless Kentucky farmer. Materially the Poor Whites contributed little to the community, except by clearing the land, and they took care that that process should not go uncomfortably far." Further he says (pp. 60, 61), "Distinctly above the traditional Poor White, though often confused with him by outsiders, is the Southern white farmer. In antebellum days there was in every Southern state, and particularly in the border states, a large body of independent men, working their own land without slaves, with the assistance of their sons — for white laborers for hire could not be had — and often prosperous. They were on good terms with the planters, had their share of the public honors, and probably furnished a considerable part of the Southern Whig vote. Their descendants still persist, often in debt, frequently unprogressive, but on the whole much resembling the farmer class in the neighboring Northern states. The destruction of slavery little disturbed the status of these men, and they are an important element in the progress of the South."

p. 76, n. 2: History of the United States by Richard Hildreth (1848–1852), Vol. 2, p. 241.

p. 76, n. 3: The Red Man's Continent by Ellsworth Huntington (1919), pp. 61, 62, being vol. 1 of Chronicles of America. Morison describes the Southern States east of the Alleghany Mountains as follows: "Between the ocean and the mountains are two distinct plateaus: the *coastal plain*, or lowlands, with a sandy soil and (south of the Chesapeake) a pine forest;

and the *piedmont*, or upper country, with a somewhat better soil, a deciduous forest, and a more varied surface. The division between them is the *fall line*, a fault in the underlying rocks that produces waterfalls in the rivers, establishes the head of navigation, and, eventually, towns or cities. The piedmont ends at the *Blue Ridge*, a long range of even-crested mountains. Between them and the Appalachians is the Great or Shenandoah Valley, a long, broken, and wooded plateau of limestone formation, from which the headwaters of such rivers as the James and Roanoke, Kanawha, Cumberland and Tennessee, break through the Blue Ridge to reach the Atlantic, or through the Appalachians to reach the Ohio. The *Appalachian mountains* arranged in such parallel folds that a view from one of them suggests immense ocean waves, are the backbone of the eastern United States. Although they seldom reach an elevation exceeding six thousand feet, their steep slopes and often inaccessible ridges confined human migration to the 'gaps' or passes. The coastal plain sweeps around the southern end of the mountains in Alabama, and meets the *Appalachian plateaus* that merge into the *interior lowlands* along the Ohio." In a note he says: "The older term was Alleghanies, which is still used for that part of the Appalachians in Maryland and Pennsylvania. Each important fold of the Appalachians has a different name, such as Cumberland Mountain, Lookout Mountain, Dan's Mountain." Oxford History of the United States by S. E. Morison (1927), Vol. 1, pp. 24, 25. He also says (p. 29): "By 1790 the Virginia Piedmont between the fall line and the Blue Ridge, for the most part a fruitful, rolling country, had become the seat of all that was healthy and vigorous in the plantation system. Most of the great Virginia statesmen of the revolutionary and republican eras were either born in this region, to adventurous younger sons of the tide-water families, or, like Washington, grew to manhood in its wilder margins."

p. 77, n. 1: History of the United States by Henry Adams (1889–1917), Vol. 1, p. 137. Professor Turner says: "Among this moving mass, as it passed along the Valley into the Piedmont, in the middle of the eighteenth century, were Daniel Boone, John Sevier, James Robertson, and the ancestors of John C. Calhoun, Abraham Lincoln, Jefferson Davis, Stonewall Jackson, James K. Polk, Sam Houston, and Davy Crockett; while the father of Andrew Jackson came to the Carolina Piedmont at the same time from the coast. Recalling that Thomas Jefferson's home was in this frontier, at the edge of the Blue Ridge, we perceive that these names represent the militant expansive movement in American life. . . . They represent, too, frontier democracy in its two aspects personified in Andrew Jackson and Abraham Lincoln. It was a democracy responsive to leadership, sus-

ceptible to waves of emotion, of a 'high religious voltage' — quick and direct in action." Quoted in The Southern Highlander and His Homeland by John C. Campbell (1921), p. 59.

p. 77, n. 2: Oxford History of the United States by S. E. Morison (1927), Vol. 1, p. 33.

p. 77, n. 3: The broad long fertile Shenandoah Valley in Virginia, between the Blue Mountains on the east and the Appalachians on the west, furnished during the Civil War abundant crops, cattle, horses, men, mills and factories for the Confederate army. It also gave a line of approach to Washington and enabled the Southern armies to menace that city at critical moments. The famous compromise of Hamilton, placing the capital so far south, jeopardized the result of the Civil War by the political necessity of protecting the capital to prevent foreign intervention. Finally Grant sent Sheridan to desolate the Shenandoah Valley as a military necessity. Sheridan, who had gradually come to the front as one of the world's great cavalry leaders, beat back Early and certainly did devastate the Valley. Grant's orders were: "In pushing up the Shenandoah Valley, as it is expected you will have to go first or last, it is desirable that nothing should be left to invite the enemy to return. Take all provisions, forage, and stock wanted for the use of your command. Such as cannot be consumed, destroy. It is not desirable that buildings should be destroyed — they should, rather, be protected; but the people should be informed that, so long as an army can subsist among them, recurrences of these raids must be expected, and we are determined to stop them at all hazards." Sheridan carried out the orders and in fact he arrested all male citizens in the Valley, between the ages of 18 and 45, who were capable of bearing arms. Recollections of the Civil War by Mason Whiting Tyler, edited by William S. Tyler (1912), pp. 293, 299. When he had completed his work Sheridan is reported to have said that "a crow flying over the country would need to carry his rations." A Short History of the United States by John Spencer Bassett (1925), p. 565. The statement by Bassett that residences were burned (p. 565), if true, was contrary to orders. Grant's orders are quoted above. Sheridan in his order on August 16, 1864, to Brigadier General Torbert said, "no houses will be burned." The Rebellion Record Documents, Vol. 11, p. 720. Lieutenant Colonel Forsyth reported the "command of General Sheridan" was "that no dwellings are to be burned and that no personal violence be offered the citizens." *Id.*, p. 728. Again Sheridan in his report to Rawlins, February 3, 1866, said: "The most positive orders were given, however, not to burn dwellings."

It is well to add that most of the troops on both sides were withdrawn from

the Shenandoah Valley after Sheridan had done his work. There was nothing left to fight for.

p. 77, n. 4: History of the United States by George Bancroft, 9th revised ed. (1834–1862), Vol. 8, ch. 64, p. 373. Huntington in referring to the Scotch-Irish in Albemarle County, Virginia, quotes from a British Major who was held in that county as a prisoner during the Revolutionary War: "The second class [largely Scotch-Irish from Pennsylvania] consists of such a strange mixture of character, and of such various descriptions of occupation, being nearly half the inhabitants, that it is difficult to ascertain their exact criterion and leading feature. They are however hospitable, generous and friendly; but for want of a proper knowledge of the world, and a good education, as well as from their continual intercourse with their slaves, over whom they are accustomed to tyrannize, with all their good qualities they are rude, ferocious and haughty, much addicted to gaming and dissipation, particularly horse racing and cock fighting. In short, they form a most unaccountable combination of qualities, directly opposite and contradictory, many having them strangely blended with the best and worst of principles, many possessing elegant accomplishments and savage brutality; and notwithstanding all this inconsistency of character, numbers are valuable members of the community, and very few deficient in intellectual faculties." Huntington then says "These Scotch, with a slight veneer of Ireland, soon began to work profound modifications in the life of Old Virginia. Hitherto it has been purely English and predominantly Episcopal, Cavalier and aristocratic. There was now a rapid invasion of Scotch Presbyterianism, with small farms, few slaves, and democratic ideas, made more democratic by life in the backwoods. In the course of two generations the bloodless but stubborn conflict between these two social groups, so different in habits and ideas, resulted in the separation of church and state, complete religious toleration, the abolition of primogeniture and entails, and many other important changes, most of which were consummated under the leadership of Thomas Jefferson between 1776 and 1785." The Human Habitat by Ellsworth Huntington (1927), pp. 274, 277.

p. 77, n. 5: Colonial Folkways by Charles M. Andrews (1919), pp. 14,15, being vol. 9 of Chronicles of America.

p. 78, n. 1: History of the United States by Henry Adams (1889–1917), Vol. 1, p. 153.

p. 78, n. 2: "The Indian title to Kentucky seems to have been hardly less vague to the red men than it was to the whites. Several of the nations had laid claim to the territory. . . . Though claimed by many, Kentucky was by common consent not inhabited by any of the tribes. It was the

great Middle Ground where the Indians hunted. . . . Within the memory of the Indians only one tribe had ever attempted to make their home in Kentucky — a tribe of the fighting Shawanoes — and they had been terribly chastised for their temerity." Pioneers of the Old Southwest by Constance L. Skinner (1919), Vol. 18 Lincoln Edition of Chronicles of America Series, pp. 131, 132, 158.

p. 78, n. 3: History of the United States by George Bancroft, 18th ed. (1876), Vol. 6, ch. 41, p. 299.

p. 79, n. 1: *Id.*, Vol. 6, ch. 38, p. 222.

p. 79, n. 2: The Old Northwest by Frederic A. Ogg (1919), Vol. 19 Lincoln Edition of Chronicles of America Series, p. 25; also History of the United States by Richard Hildreth (1849), Vol. 2, p. 503. James says: "Enforcement of this decree would mean not alone the development of the fur trade, which was enriching many London merchants, but it would likewise keep the frontiersmen under English political control. But the pioneers ignored completely this expression of 'royal will and pleasure.' . . . If British crown officers in America ever regarded the proclamation of 1763 as other than a temporary expedient to control westward expansion they soon saw the futility of efforts to enforce its provisions, for some thirty thousand whites, it has been estimated, settled beyond the mountains between 1765 and 1768." Life of George Rogers Clark by James Alton James (1928), pp. 6, 7.

p. 79, n. 3: The Old Northwest, *supra*, p. 27.

p. 79, n. 4: The Fathers of the Constitution by Max Farrand (1921), Vol. 13 Lincoln Edition of Chronicles of America Series, p. 56.

p. 79, n. 5: The Old Northwest by Frederic A. Ogg (1919), Vol. 19 Lincoln Edition of Chronicles of America Series, pp. 48–75. Bruce says: "Gone forever was the day of French dominion — gone, too, the day of British supremacy. Henceforth it was to be the American — bold, hardy, enterprising, and progressive — who should hold and open up and develop the prairies and valleys of the great Northwest. With fewer than two hundred ragged, starving, and enfeebled soldiers, George Rogers Clark had won for the United States an inland kingdom of magnificent possibilities, had dealt a giant's blow in behalf of his fellow-Kentuckians and of the larger cause of independence, and had earned for himself an imperishable renown in his country's history." Daniel Boone and the Wilderness Road by H. Addington Bruce (1922), p. 198.

p. 80, n. 1: History of the United States by Richard Hildreth (1849), Vol. 3, p. 34; History of the United States by George Bancroft, 12th ed. (1834–1862), Vol. 7, p. 156.

p. 80, n. 2: Daniel Boone and the Wilderness Road by H. Addington Bruce (1922), pp. 76, 77, 93, 102, 111.

p. 80, n. 3: The Old Northwest by Frederic A. Ogg (1919), Vol. 19 Lincoln Edition of Chronicles of America Series, pp. 98, 95.

p. 80, n. 4: Literature of the Middle Western Frontier by Ralph L. Rusk (1925), Vol. 1, p. 16.

p. 80, n. 5: History of the United States by John B. McMaster (1883–1913), Vol. 1, p. 149. Bruce says: "At the close of the Revolution there were scarcely ten thousand American settlers in all the broad region between the Alleghanies and the Mississippi. When the first Federal census was taken, less than ten years later, it was found that the ten thousand had become more than one hundred thousand, nearly three-fourths of whom were located in Kentucky. In another ten years, or at the beginning of the nineteenth century, the population of the same transmontane region had increased to upwards of four hundred thousand, including two hundred and twenty thousand in Kentucky alone. Thus, for fully a quarter of a century after the time it was opened up to civilization by the Transylvania pioneers, Kentucky remained the premier Western State, and received the bulk of the enormous army of home-seekers who, immediately after the cessation of hostilities, hastened to take possession of the virgin lands of the West." Daniel Boone and the Wilderness Road by H. Addington Bruce (1922), p. 281.

p. 81, n. 1: History of the United States by John B. McMaster (1883–1913), Vol. 2, p. 576.

p. 81, n. 2: Studies in the South and West with Comments on Canada by Charles Dudley Warner (1889), p. 373.

p. 82, n. 1: Some United States by Irvin S. Cobb (1926), pp. 90, 91.

p. 82, n. 2: Ferguson paroled two prisoners "and enjoined them to inform the officers on the western waters that if they did not desist from their opposition to the British arms, and take protection under his standard, that he would march his army over the mountains, hang their leaders, and lay the country waste with fire and sword." General Joseph Graham and his papers on North Carolina Revolutionary History by Major William A. Graham (1904), p. 275.

p. 82, n. 3: Bruce writes that Ferguson learned "that beyond the mountains were a few scattered settlements of strong 'rebel' tendencies, and, through a prisoner whom he released on parole, he immediately sent word that if the mountaineers did not 'desist from their opposition to the British arms,' he would march his army over the mountains, hang the leaders, and lay waste the country. So far from alarming the Wataugans, his threat

aroused an instant determination to strike him before he could strike them. Within a few days more than a thousand men were assembled at the Sycamore Shoals of the Watauga. They included a contingent of five hundred from the Virginia settlements, under William Campbell, a famous Indian fighter and implacable in his hatred of the British and their Tory supporters; two hundred and forty under Sevier; a like number under Isaac Shelby, and nearly two hundred refugees who had fled across the mountains after a vain effort to check Ferguson's triumphant march. Nearly all were well mounted, and all were armed in regulation backwoods style — that is to say, with rifle, tomahawk, and hunting-knife. A few, though very few, of the officers carried swords. Only the lightest baggage was taken along, the hope being to make a rapid passage of the mountains and give Ferguson no time to prepare a strong defence. It is worthy of remark that before setting out, on September 26, 1780, this rude, rough, undisciplined army gathered in an open grove to listen to a sermon preached by the first clergyman to settle in that region, the Rev. Samuel Doak, who, in words of burning zeal, exhorted them to go forth and smite their enemies with the sword of the Lord and of Gideon. Three days later, after a terrible journey over what Shelby afterwards described as 'the worst route ever followed by an army of horsemen,' they descended the eastern slope of the Blue Ridge, not far from the North Fork of the Catawba in North Carolina, and began their search for Ferguson, who, they were told, was encamped near Gilbert Town. En-route they elected William Campbell commander-in-chief, and received reenforcements that brought their total strength up to about fifteen hundred. This was more than Ferguson could muster, for, not expecting to be attacked, he had allowed many of his Tory recruits to go home on furlough. Wisely, therefore, he broke camp and fled, turning and twisting among the mountains in the hope of baffling pursuit. But he soon found that the backwoodsmen were not to be shaken off, and when, on the evening of October 6, he crossed into South Carolina, he halted his army on the stony slope of King's Mountain, just south of the North Carolina line, and made ready to give battle, confident that he had taken a position from which 'all the rebels outside of hell,' as he defiantly put it, could not dislodge him. . . . By that time [noon of the next day after October 6] their number [the mountaineers] had dwindled to less than a thousand, — or about as many as Ferguson had with him, — those who had become too exhausted to continue the pursuit having been weeded out a couple of days before. According to all the rules of warfare it was madness to attack a numerically equal force situated to such great advantage as Ferguson's men were, and having the further advantage of being armed with bayonets, while not a backwoodsman possessed

this exceedingly useful weapon. But the men in buckskin knew nothing of, and cared less for, the rules of warfare, and boldly decided to push ahead, surround Ferguson, and storm his position. . . . The orders given to all were to stand their ground as long as possible, but, if attacked by the bayonet, to give way and then rally for another charge. So swift were their movements that they were almost upon the British commander before he knew of their presence. . . . Bewildered, the bayonet men charged to and fro, the Americans invariably fleeing before them, but returning to the assault the instant pursuit ceased." Then Ferguson fell and Bruce says, "Ignored or slighted by many historians, this was in reality one of the decisive battles of the Revolution. On the one hand, it ruined the Southern campaign of the British, compelling Cornwallis to abandon his plan for the conquest of North Carolina, and spurring the patriots of the South to a renewed activity that bore abundant fruit the following year. On the other hand, it insured the safety not simply of the Watauga settlements, but of the settlements planted by Boone and his comrades in faraway Kentucky." Daniel Boone and the Wilderness Road by H. Addington Bruce (1922) pp. 257–263.

p. 82, n. 4: Pioneers of the Old Southwest by Constance L. Skinner (1919), Vol. 18 Lincoln Edition of Chronicles of America Series, pp. 195–225, 228, 229.

p. 82, n. 5: "In the main, southern Indiana and Illinois . . . drew from Kentucky, Tennessee, Virginia, and the remoter South. North of the Latitude of Indianapolis and St. Louis the lines of emigration led chiefly from New England, New York and Pennsylvania" and from abroad. The Old Northwest by Frederic A. Ogg (1919), Vol. 19 Lincoln Edition of Chronicles of America Series, p. 162. Even as late as 1820 almost the entire population of Indiana and Illinois was in the southern third of those states and the people were Southern with a few Pennsylvanians. The Old Northwest, *supra*, p. 177 note. As Turner puts it, "New England, after the distress following the War of 1812 and the hard winter of 1816–1817, had sent many settlers into western New York and Ohio; the Western Reserve had increased in population by the immigration of Connecticut people; Pennsylvania and New Jersey had sent colonists to southern and central Ohio, with Cincinnati as the commercial center. In Ohio the settlers of Middle State origin were decidedly more numerous than those from the South, and New England's share was distinctly smaller than that of the South. In the Ohio legislature in 1822 there were thirty-eight of Middle State birth, thirty-three of Southern (including Kentucky), and twenty-five of New England. But Kentucky and Tennessee (now sufficiently settled to need larger and

cheaper farms for the rising generation), together with the up-country of the South, contributed the mass of the pioneer colonists to most of the Mississippi Valley prior to 1830. Of course a large fraction of these came from the Scotch-Irish and German stock that in the first half of the eighteenth century passed from Pennsylvania along the Great Valley to the up-country of the South. Indiana, so late as 1850, showed but ten thousand natives of New England; and twice as many persons of Southern as of Middle State origin. In the early history of Indiana, North Carolina contributed a large fraction of the population, giving to it its 'Hoosier' as well as much of its Quaker stock. Illinois in this period had but a sprinkling of New Englanders, engaged in business in the little towns. The Southern stock, including settlers from Kentucky and Tennessee, was the preponderant class. The Illinois legislature for 1833 contained fifty-eight from the South (including Kentucky and Tennessee), nineteen from the Middle States, and only four from New England. Missouri's population was chiefly Kentuckians and Tennesseeans." Readings in the History of the American Nation, collected and edited by Andrew C. McLaughlin (1914): Colonization of the West by Frederick J. Turner, pp. 132, 133.

p. 83, n. 1: The Expansion of New England by Lois K. Mathews (1909), p. 182.

p. 83, n. 2: History of the United States by Richard Hildreth (1849), Vol. 3, pp. 398, 399, 426, 448, 462. Morison says: "In 1780 there was no 'territory of the United States.' In theory the Crown title to ungranted land passed to the individual States of the Union, saving the Indians' right of occupancy. Virginia, New York, Massachusetts, and Connecticut claimed a part, and Virginia the whole of the land between the Lakes, the Mississippi, the Ohio river, and the western boundary of Pennsylvania. Between 1781 and 1785 these States ceded both title and jurisdiction to the nation [excepting a Virginia reserve for rewarding her veteran soldiers, to which only the jurisdiction was ceded to the nation, and Connecticut's Western Reserve on the shores of Lake Erie, to which the title was retained by the parent State, and the jurisdiction also until 1800. This region of the State of Ohio is still called the Western Reserve]; and in 1787 the Congress of the Confederation organized a North-west Territory in this region. The Federal Constitution gave Congress the power 'to dispose of, and make all needful rules and regulations respecting the territory belonging to the United States.'" Oxford History of the United States by S. E. Morison (1927), Vol. 1, p. 186. A map showing the dates and territory ceded by different States to the United States from 1784 to 1802, but ignoring the overlapping claims is found in Garner and Lodge's The United States (1906),

Vol. 1, p. 816, being Vol. 23 of History of Nations Series. For illustration, "Connecticut, about 1753, became possessed with the idea that she owned a strip of land as wide as herself and extending indefinitely westward. She admitted that New York was a barrier, but overleaping this the strip began with the eastern boundary of Pennsylvania and embraced the whole northern section of the state. The basis of this claim was their charter of 1662, which antedated that to William Penn, and admitted of no western limit but the Pacific. . . . Pennsylvania also had trouble with Virginia over her western boundary. The Old Dominion had an indefinite claim to all land west and northwest of her, and under this included the present city of Pittsburg, and for some time exercised authority there." Two Centuries of Pennsylvania History by Isaac Sharpless (1900), pp. 182, 183, 184. James says: "Not before March 1, 1784, did Virginia finally complete the cession to the United States of her right and title to the territory northwest of the Ohio River. This claim was based on her charter of 1609 and also on the conquests made by Clark. New York had maintained that on account of various treaties she had become the lawful successor to the western lands formerly claimed by the Iroquois. [A summary of the controversy over the validity of claims to western lands is well stated in Justin Winsor, The Westward Movement (Boston, 1897), pp. 205–8.] Massachusetts, under the charter of 1629, and Connecticut, under a charter of 1662, likewise laid claim to strips of land west of the New York boundary. South of the Virginia line, the Carolinas and Georgia claimed the territory lying west of their borders, extending to the Mississippi. The six landless states maintained that this territory had been gained through a war in which there had been common sacrifice, and therefore that the individual states should surrender their claims. Maryland, in 1779, refused to ratify the Articles of Confederation unless first assured that these lands were to become the property of the United States. . . . Massachusetts surrendered her claims in 1785. Connecticut, in her cession of the following year, reserved a tract of land 120 miles long on the shore of Lake Erie, now known as the 'Western Reserve.' Not before 1800 did Connecticut grant to the United States complete jurisdiction over this Reserve containing some 3,250,000 acres." Life of George Rogers Clark by James Alton James (1928), pp. 301, 303, 304.

p. 83, n. 3: The Expansion of New England by Lois K. Mathews (1909), pp. 182, 183, 192.

p. 83, n. 4: The Borderland in the Civil War by Edward C. Smith (1927), p. 13.

p. 83, n. 5: The Expansion of New England by Lois K. Mathews (1909), p. 197.

p. 83, n. 6: *Id.*, pp. 206, 207.

p. 85, n. 1: "In South Carolina, too, a wealthy leisure class with a passion for affairs had cultivated enthusiastically that fine art which is the pride of all aristocratic societies, the service of the State as a profession high and exclusive, free from vulgar taint." Nathaniel W. Stephenson in The Day of the Confederacy (1919), pp. 28, 29, being vol. 30 of Chronicles of America. Morison says: "The finest product of the plantation régime was the Southern gentleman. Although few in number [a note states that of six million southerners only about 50,000 constituted the gentry] he ruled the older Southern States by virtue of his personality even more than his property; and governed them honourably and efficiently, although not with enlightenment. Discriminatingly hospitable, invariably gracious to women, endowed with a high sense of personal honour and civic virtue, he led his beloved Southland to the worst *debacle* in modern history. Yet the image of him, dressed in black broadcloth and wideawake hat, directing from horseback the labours of his slaves; or in grey uniform leading a cavalry charge under the stars and bars, appeals to the imagination of an era that has repudiated everything, good or bad, that he represented. Of this ruling class, only a small fraction belonged to the eighteenth-century aristocracy of Maryland, Virginia, and the Carolinas. The supreme type of colonial gentleman that Washington was, appeared undiminished in his Lee kinsmen; but the old Huguenot families of Charleston were dying out, and the Creoles of Louisiana were easygoing and unambitious. Apart from these three persistent types, the mass of the greater planters, in 1850, were self-made men like Jefferson Davis, whose parents had lived in log cabins." Oxford History of the United States by S. E. Morison (1927), Vol. II, pp. 16, 17.

p. 85, n. 2: Diary of John Quincy Adams, edited by Allan Nevins (1928), p. 479.

p. 85, n. 3: Moley says: "To understand the slave power it is necessary to comprehend the anatomy of its society. It was a frank class rule. Not over ten thousand people ruled all of the southern states. This small group supplied lawyers, statesmen, office holders, business managers, writers, ministers, and all of the rest of the leaders of their civilization. Below this was a group of servile and poverty-ridden whites. Still lower in the social scale were the slaves who constituted the source of wealth and power in this strange, medieval survival of a feudal civilization." Parties, Politics, and People by Raymond Moley (1923), p. 16. Miller says: "The prediction made by President Jackson in the Nullification contest [over the protective tariff] that the next pretext for secession which the Calhoun party would seize upon would probably be slavery was fulfilled in 1860." American

Debate by Marion Mills Miller (1916), Vol. 1, p. 387. In other words, the southern oligarchy proposed to continue to rule the country, as it practically had done for 85 years, and when it could no longer rule it proposed to set up a government of its own.

Hugh McCulloch, Secretary of the Treasury under three administrations, says in his Men and Measures of Half a Century (1888), p. 363: "While many of the leaders, controlled by ambitious and selfish considerations, desired the separation of the slave States from the free, because they perceived that Southern influence was comparatively on the wane, and the establishment of an independent government of which they were to be the master spirits, a very large majority of the Southern people believed that State sovereignty, and the rights of property, were not safe under the Government of the United States, and they shed their blood as freely, and submitted to great sacrifices as willingly, in defence of slavery, and what they considered the rights of States, as they would have done if the avowed purpose of the Government at the commencement of the war had been to deprive the South of its constitutional rights and to free the slaves, without compensation to their owners." Alderman says: "In the placid air of their enlightened mediaevalism lingered the brave ideals of courage and beauty and gracious dignity . . . and there arose an assertive, sensitive, sincere, dauntless race of men, esteeming life less than honor, and loyalty more than gold, who wrought with a sad, Titanic sincerity for their doomed cause." Quoted in Geographic Influences in American History by Albert Perry Brigham (1903), p. 190, from Edwin A. Alderman in II Educational Review 30.

p. 85, n. 4: Gideon Welles, Lincoln's Secretary of the Navy, was an honest, able and outspoken man, but, as Morse remarks, dispensed Christian charity with great economy. In his Diary he wrote in January, 1865, as to the Rebels: "Their pride, self-conceit, and arrogance must be brought down. They have assumed superiority, and boasted and blustered, until the wretched boasters had brought themselves to believe they really were a superior class, better than the rest of their countrymen, or the world. Generally these vain fellows were destitute of any honest and fair claim to higher lineage or family, but are adventurers, or the sons of adventurers, who went South as mechanics or slave-overseers. The old stock have been gentlemanly aristocrats, to some extent, but lack that common-sense energy which derives its strength from toil. The Yankee and Irish upstarts or their immediate descendants have been more violent and extreme than the real Southerners, but working together they have wrought their own destruction." And again in February: "We have made great progress in the

Rebel War within a brief period. Charleston and Columbia have come into our possession without any hard fighting. The brag and bluster, the threats and defiance which have been for thirty years the mental aliment of South Carolina prove impotent and ridiculous. They have displayed a talking courage, a manufactured bravery, but no more, and I think not so much inherent heroism as others. Their fulminations that their cities would be Saragossas were mere gasconade, — their Pinckneys and McGrawths and others were blatant political partisans." Again in April: "This Rebellion which has convulsed the nation for four years, threatened the Union, and caused such sacrifice of blood and treasure may be traced in a great degree to the diseased imagination of certain South Carolina gentlemen, who some thirty and forty years since studied Scott's novels, and fancied themselves cavaliers, imbued with chivalry, a superior class, not born to labor but to command, brave beyond mankind generally, more intellectual, more generous, more hospitable, more liberal than others. Such of their countrymen as did not own slaves, and who labored with their own hands, who depended on their own exertions for a livelihood, who were mechanics, traders, and tillers of the soil, were, in their estimate, inferiors who would not fight, were religious and would not gamble, moral and would not countenance duelling, were serious and minded their own business, economical and thrifty, which was denounced as mean and miserly. Hence the chivalrous Carolinian affected to, and actually did finally, hold the Yankee in contempt. The women caught the infection. They were to be patriotic, Revolutionary matrons and maidens. They admired the bold, dashing, swaggering, licentious, boasting, chivalrous slave-master who told them he wanted to fight the Yankee but could not kick and insult him into a quarrel. And they disdained and despised the pious, peddling, plodding, persevering Yankee who would not drink, and swear, and fight duels." Speaking of the fall of Charleston he wrote: "No place has suffered more or deserved to have suffered more. Here was the seat of Southern aristocracy. The better blood — the superior class, as they considered themselves — here held sway and dictated the policy, not only of Charleston but of South Carolina, and ultimately of the whole South. The power of association and of exclusiveness has here been exemplified and the consequences that follow from the beginning of evil. Not that the aristocracy had more vigorous intellects, greater ability, for they had not, yet their wealth, their ancestry, the usage of the community gave them control." Diary of Gideon Welles (1911), Vol. II (1864–1866), pp. 229, 242, 276, 277, 312. Charles Francis Adams in his Autobiography (1916), p. 45, says of a prominent Southern representative just before the Civil War: "He was representative of a large class —

men who were just spoiling for a fight. They had it, too! and, before they got through, had a belly-full! But never on this earth did human beings more richly deserve the complete, out-and-out thrashing that those men then coveted, and afterwards had."

Rousiers, a French writer, said in 1891, "It is impossible to admire sufficiently the magnificent part played by Southern aristocrats, the disinterestedness, wisdom and calm serenity of Washington, the loftiness of his views, the justness of his conceptions, the combination of qualities that made him a statesman of the highest order. . . . The South produces masters of men no more; all come from East or West. The causes which created Southern influence have disappeared, or, rather, seem to have turned against it. Not only has ancient Southern chivalry been replaced by a new aristocracy of labor, but its present representatives seem to be sinking more and more into mediocrity. Many still live on their divided or diminished plantations without making any effort to take the place for which their education fitted them. They are generally respected, because they cling to the refined and generous traditions of their ancestors; but they owe this much more to these souvenirs than to their actual position. They are a vanishing race. Some who are too poor to bring up their children in the old way, and too proud or too indolent to set them to work in some business, keep them at home vegetating on a very moderate income. In one or two generations these descendants of great planters will be fatally absorbed in the laboring classes, for no artificial conditions preserve them in a country where prerogatives or privileges have nothing to do with birth, and where a crowd of capable men are constantly rising from the common people." American Life by Paul de Rousiers (1892), pp. 338, 339. Professor Hart of Harvard says: "The old ruling families have almost all lost their wealth and their interstate position. Deference is still paid to them; a John Rutledge is always a John Rutledge welcomed anywhere in South Carolina, and a Claibourne carries the dignity of the family that furnished the first Governor of Mississippi; but it is a mournful fact that hardly a large plantation in the South is now owned by a descendant of the man who owned it in 1860. Some of the most ambitious of the scions of these ancient houses, whose communities no longer give them sufficient opportunities, have found their way to New York and other Northern cities, and are there founding new families. Many more are upbuilders of the Southern cities; some of them are again becoming landed proprietors. Still the element dominant in society, in business, and in administration, includes a large number of people who have come up from below or have come in from without since the Civil War." The Southern South by Albert Bushnell Hart (1910), p. 60.

p. 86, n. 1: Studies in Southern History and Politics (1914): Article on The New South, Economic and Social by Holland Thompson, p. 314.

p. 87, n. 1: Rousiers, a French writer, says: "A hundred years ago Virginia had a special part to act in the Union. She gave it its leaders. Washington, that most famous of all Virginians, has left an imperishable memory. One may say that the race of Southern planters, of whose executive qualities he was the embodiment, realized the independence of the States. Without it, the uprising of the public spirit against England would have been futile. To direct this, men were needed who were accustomed to command and who were capable of making effective use of the precious elements the nation contained. These were the men that Virginia gave to New England." American Life by Paul de Rousiers (1892), p. 12. This is true. It is true also that without the northern colonies the south would have collapsed, as was shown by the ease with which Clinton and Cornwallis overran Georgia, the two Carolinas and a part of Virginia, in 1779–1781, aided by strong Tory support in those colonies.

p. 87, n. 2: Oxford History of the United States by S. E. Morison (1927), Vol. 1, p. 30.

p. 87, n. 3: Chief Justice Taft has written: "Not only are the views of those who made the Constitution said to be unsound and outworn, but these Fathers of the Republic are themselves severely arraigned because of their alleged class feeling as land owners and creditors. We have been accustomed to muckraking in the case of living public men, but it is novel to impeach our institutions which have stood the test of more than a century by similar methods with reference to their founders, now long dead." Popular Government by William Howard Taft (1913), p. 2. Judge Taft points out that though only 150,000 men were qualified to vote for the Constitution out of about 4,000,000 people (p. 13), yet a restricted franchise always has been and still is necessary, and the franchise in 1787 was as prescribed by the various laws of the thirteen states (pp. 11–17). "The greater activity of the enlightened classes in eastern Virginia was largely due to the fact that the Revolution in the South was not of economic origin. This statement may seem heretical in the eyes of modern history students, accustomed to find one explanation for every phenomenon of human nature; nevertheless, the evidence points irresistibly to such a conclusion. Only with difficulty and great straining can economic causes for the Revolution in Virginia be adduced, and when examined they do not appear convincing. The fact that the movement began in Virginia with the adoption of measures designed to put economic pressure on England might appear to give weight to such a theory, but the truth is that these weapons were resorted to for purely

political purposes and to obviate the necessity of armed conflict. . . . Apart from the Stamp Act, which would have proved burdensome alike to all the colonies, the colonial policy of the ministry was not oppressive to Virginia. Nor did the Navigation Acts interfere greatly with the welfare of the colony, which found as good markets in England as there were elsewhere and which had grown greatly in the eighteenth century. And it is difficult to believe that the king's plan to form new colonies west of the Alleghanies forced the land-hungry Virginians, as has been asserted, to go into the Revolutionary movement: land in the wilderness at that time was too cheap to fight about. . . . In truth, the Revolution in Virginia was almost entirely political in origin. It was the effort of a community singularly tenacious of its rights and jealous of the broadening shadow of the British Empire across the world to secure certain positions for its own safety; it was the determination of a proud, easy-going, liberty-loving community, conscious of its importance in America and of its small importance in English eyes, to maintain its old independence and increase it. Chafing even during the French-and-Indian War at any exertion of royal authority, the Virginians were not prepared to admit the Parliamentary claims put forth in 1764. Patrick Henry had appealed to this colonial jealousy and sense of difference, this vague and subconscious feeling of nationalism, in 1765, and the feeling once aroused never died out. The people of Virginia believed that the home government had determined in the Stamp Act to bring them to 'chains and slavery,' and thought that acquiescence in any tax whatever would mean the concession of a principle which would end in colonial exploitation for the benefit of England. Accustomed to self-government and to a freedom we cannot understand to-day, the planters were prepared to take the risks of resistance rather than to submit to any curtailment of their rights or any check to their development. . . . The political thinkers were the planters. Living a life of comparative leisure and educated chiefly in the direction of law and politics, they drew from the pages of Locke and Sidney theories of republicanism and precedents for revolutionary activity. This all-powerful agricultural interest was able to overawe the merchants, who were quite as hostile to the Revolution as the commercial classes in the Northern colonies, but had no large towns like Philadelphia or New York to serve as centers of influence." The Revolution in Virginia by H. J. Eckenrode (1916), pp. 38–40, 100, 101.

p. 87, n. 4: Barker, an English writer, says: "We have to remember that the economic is only one aspect of human life, and only one factor in national development; that political and religious ideas and institutions, as well as literature and the general forces of education, are also creative agencies in

the growth of all civilizations. We have no less to remember that economics must reckon with human purposes and values, no less than with material objects and forces, and that any account of the economic factor in the formation of national life and character will be halt and maimed if it fails to include the action of social ideas and the play of social choice." National Character and the factors in its formation by Ernest Barker (1927), p. 85. "Economic interpretation of history" (as the phrase is generally understood, the words "interpretation of" being much broader than the words "influence in"), means that economic forces have dominated in shaping events and history; that those forces explain why things happened as they did; that they are the cause of progress and the key to history itself; that they are the silent but incessant influences which mold all human institutions; that materialistic nature, working through "survival of the fittest," makes self-interest the cause of progress, of wars, conquests, dynasties, migrations, and revolutions, whether political, social, industrial or intellectual and moral. Brown, an English writer, says: "Now we have to face the criticism of those who see in political democracy nothing but a gigantic illusion. These critics examine and interpret the history of man from one point of view alone, the economic. To them, the history of man is the history of wealth, the history of power is the history of money. Consequently, they urge that any attempt to realise an ideal of people's power must be primarily a matter of economics. If money is power, then a state in which money and property are unequally divided cannot be 'democratic.' . . . We may be told, for instance, that man is purely an economic creature, and that all his aspirations and activities are bound by economic fact. This view abstracts from man one side of his nature, and calls that side, man. But the spirit of man is not susceptible to these abstractions. And if such abstractions are to take place, why should not we abstract the moral, the religious, the artistic phases of human nature, and interpret history morally, religiously, or artistically?" The Meaning of Democracy by Ivor J. C. Brown (1920), pp. 104–106. In 1916 Professor Mathews in his book on The Spiritual Interpretation of History said (pp. 22, 23): "That there is now a tendency toward a less sweeping statement of the economic interpretation of history will be shown in a subsequent lecture, but modifications which have been made in it have been largely in the way of concession. It may be expressed cautiously as by Professor Seligman, 'Economic interpretation of history means, not that the economic relations assert an exclusive influence, but that they assert a preponderant influence in shaping the progress of society.' Yet when even Professor Seligman undertakes to apply his economic interpretations, we find such unqualified statements as this, 'It is no longer open to

doubt that the democracy of the nineteenth century is largely the result of the industrial revolution; that the entire history of the United States to the Civil War was at the bottom a struggle between two economic principles; that the Cuban insurrection against Spain, and thus indirectly the Spanish-American War was the outcome of the sugar situation; or, finally, that the condition of international politics at present is dominated by economic considerations.'" Turning to Professor Edwin R. A. Seligman's Economic Interpretation of History (1902), the following appears: "To economic causes, therefore, must be traced in last instance those transformations in the structure of society which themselves condition the relations of social classes and the various manifestations of social life." (Introduction, p. 3.) "We understand, then, by the theory of economic interpretation of history, not that all history is to be explained in economic terms alone, but that the chief considerations in human progress are the social considerations, and that the important factor in social change is the economic factor." p. 67. "The economic interpretation of history, correctly understood, does not claim that every phenomenon of human life in general, or of social life in particular, is to be explained on economic grounds. Few writers would trace the different manifestations of language or even of art primarily to economic conditions; still fewer would maintain that the various forms of pure science have more than a remote connection with social conditions in general. Man is what he is because of mental evolution, and even his physical wants are largely transformed and transmuted in the crucible of reasoning. The facts of mentality must be reckoned with." (p. 146.) "In one sense, accordingly, there are as many methods of interpreting history as there are classes of human activities or wants. There is not only an economic interpretation of history, but an ethical, an aesthetic, a political, a jural, a linguistic, a religious and a scientific interpretation of history." (p. 153.)

p. 88, n. 1: Professor McDougall says: "A number of writers have sought to interpret the course of history and the rise and fall of nations in a more scientific manner; but most of these have studied some one aspect of national life, and have professed to find in that one aspect the key which shall unlock all doors and solve all problems. Thus some, adopting the notion of a variety of human races, each endowed with a certain peculiar and unalterable combination of qualities, seek to explain all history by the aid of biological laws, especially the Darwinian principles, as a struggle for survival between individuals and between races. Others, like Karl Marx and Guizot, see in economic conditions and the struggles between the social classes within each nation, the all-important factors. Others again, like

Montesquieu and to some extent Buckle and more recently Matteuzzi, have seen in the influences of physical environment the key to the understanding of differences of national character and history; while others profess to have found it in differences of religious system, or of the forms of government and systems of laws. Others again, like Le Bon, in a few dominant ideas which, they say, being possessed by any nation (or possessing a nation) determines its character and civilisation. All these are exaggerations of partial truths; and in opposition to all of them it must be laid down that the understanding of the *mind* of a nation is an indispensable foundation for the interpretation of its history." The Group Mind by William McDougall, 2nd ed. (1928), pp. 145, 146.

p. 88, n. 2: Professor McDougall says of the old Philosophy of History: "The task of scientific analysis and research was avoided by bringing in, as the main explanatory principles or causal agencies, vaguely conceived entities regarded as presiding over the development of peoples — such entities as Providence, or the Destiny of nations, the *Genius* of a people, or the Instinct of a nation, the Unconscious Soul of a people, or the Spirit of the Age; and, when the problem was to account for some great secular change, for example, some change of national character, nothing was commoner than to appeal to *Time* itself, and thus to make of this most empty of all abstractions a directive agency and an all powerful cause of change." The Group Mind by William McDougall, 2nd ed. (1928), p. 143.

p. 88, n. 3: The conflict is shown in Henry Adams' book on The Tendency of History (1909), published in 1928.

p. 88, n. 4: Foundations of the Republic by Calvin Coolidge (1926): States Rights and National Unity, Address at the College of William and Mary, Williamsburg, Va., May 15, 1926, pp. 401, 402.

p. 89, n. 1: See Beginnings of New England by John Fiske (1901), p. 151.

p. 90, n. 1: A Political and Social History of the United States by Arthur M. Schlesinger (1925), p. 176. The Rise of American Civilization by Charles A. and Mary R. Beard (1927) says (Vol. 1, p. 96): "The third son of the first Lincoln, who came to Massachusetts in 1637, built a forge on the banks of a neighboring brook and prospered; other descendants carried that industry into New Jersey; and a hundred years later Lincolns were engaged in Tubal Cain's art on the Schuylkill in Pennsylvania."

p. 90, n. 2: Understanding America by Langdon Mitchell (1927), p. 112.

p. 91, n. 1: Provincial Society by James Truslow Adams, p. 2: being Vol. III of A History of American Life, edited by Arthur M. Schlesinger and Dixon Ryan Fox (1927). Adams says that in 1700 "Boston was far in advance of any other port on the continent, with New York second. By

the beginning of the third decade, although Boston's shipping had increased so that the entries at the customs house numbered five hundred and seventy-eight, that of other ports had been increasing at an even more rapid rate, so that the figures were one hundred and seventy-three for Philadelphia, one hundred and ninety-six for New York, and about two hundred and twenty a year for Charleston, South Carolina. By the middle of the century Boston had fallen considerably behind Philadelphia, which became the center of both commerce and culture but which, in turn, was beginning to find a new, though less important, rival in Baltimore. That town developed rapidly because of three factors: first, the ease of floating the produce of the back country down the Susquehanna; second, unlike Philadelphia, the access to its wharves in winter; and third, the greater foresight of the Baltimoreans in building good roads to tap the hinterland. In population, the New England metropolis became steadily less important in comparison to the others. Her rivals New York and Philadelphia, originally far behind her, gradually overtook her, and then forged ahead. Later, her commerce was to decline both relatively and actually, but up to the middle of the period of this chapter [1713–1745], she was still the leading town on the continent and the richest commercial port." *Id.*, pp. 226, 227.

p. 91, n. 2: Peter Kalm, however, in his "Travels into North America," Translated by John Reinhold Forster, written in 1748, says, "New York probably carries on a more extensive commerce, than any town in the English North American provinces; at least it may be said to equal them; Boston and Philadelphia however come very nearly up to it. The trade of New York extends to many places, and it is said they send more ships from thence to London, than they do from Philadelphia." See Readings in American History, edited by James Alton James (1914), p. 119.

p. 92, n. 1: The regular United States navy (sloops and frigates) in the war of 1812 acquired imperishable renown on every sea, but the greatest harm done to British shipping (over 800 British vessels taken within 2 years), even on the coasts of England itself, was by American privateers and "letters of marque." These were the fastest sailing boats ever constructed up to that time. They had been developed during previous years to escape the French and English navies during the Napoleonic wars. Hence they were ready when the war of 1812 broke out. And they were marvellous ships, sharp, fast-sailing, and clipper-built. They swarmed out from New England, New York, and Baltimore and harried all the seas in search of merchantmen with rich cargoes. What they couldn't carry off they burned or sunk. McMaster says of these American privateers, "As specimens of naval architecture these ships had no equal on any sea. In length on the spar deck they

were not more than one hundred and twenty feet, and in extreme breadth were about thirty-one feet. They were rigged as ships or brigs, with long and slender masts and spars, had a light rail on the gunwale in place of solid bulwarks, carried a cloud of canvas, were armed with from six to eighteen guns — one of which, called 'long-tom,' was always mounted on a pivot amidships — and were manned by a crew of one hundred to one hundred and fifty sailors. Intended to fight only as a last resort, the sailing qualities of the privateer were chiefly considered and developed by her builder. Nothing so astonished her English enemies as the height and thinness of her masts, as the length of her spars, as the handiness with which she worked to windward, as the rapidity with which, at the very moment escape seemed hopeless, she would turn, almost within her own length, and shaking out an immense spread of canvas, make off into the eye of the wind before her opponent could even come about." History of the People of the United States by John B. McMaster (1924), vol. IV, pp. 112, 113. Henry Adams in his History of the United States, Vol. 7, pp. 318–320, says of the American privateers in the war of 1812, "British construction could not build them, even when they had the models; British captains could not sail them. . . . Nothing could convince a British admiral that Americans were better fighters than Englishmen; but when he looked at the American schooner he frankly said that England could show no such models, and could not sail them if she had them. In truth the schooner was a wonderful invention. Not her battles, but her escapes won for her the open-mouthed admiration of the British captains, who saw their prize double like a hare and slip through their fingers at the moment when capture was sure. . . . No people, in the course of a thousand years of rivalry on the ocean, had invented or had known how to sail a Yankee schooner."

About forty years later when extraordinary rates were offered for swift transfer of freight from the Atlantic coast around Cape Horn to California, during the height of the gold craze, the Americans developed the schooner yacht, the swiftest, the most beautiful, the most difficult to handle, the most sail in proportion to hull, of all sailing craft ever built, and also the most ephemeral because the demand fell off and the yachts carried too small a cargo for the lower rates, and so they disappeared. Hugh McCulloch, Secretary of the Treasury under three administrations, says in his Men and Measures of Half a Century (1888), p. 425: "Upon the discovery of gold in California, a number of clipper ships were built in New England and New York for speedy voyages to San Francisco. Beautiful ships they were — the most perfect specimens of naval architecture. Their day was short, but brilliant. No sailing vessels ever equalled them in speed, and in

those lively days time was of importance, and on so long a voyage sailing vessels had great advantage over steamships, on account of the quantity of coal the steamships had to take with them. These clipper ships were profitable for a couple of seasons only. The construction of the Panama Railroad put an end to their utility, and they soon after disappeared from the ocean."

Rear Admiral William S. Benson in his book The Merchant Marine (1923), pp. 58, 59, quotes from John R. Spears as follows as to the achievements of the American clippers of the middle of the 19th century. "If it was not to the model of the ships, to what, then, were the splendid records due? The answer is of the utmost importance in any study of the American merchant marine. The records were due to the fact that our seamen were the most ambitious and the most efficient sailors of the sail that the world has ever seen. . . . Studding sails were spread to the zephyrs when the ship crossed the equator, and they were yet seen in place while she sailed with trade-winds so strong that ships from Europe close-hauled were reefed down to the cap. Indeed, all sail was often carried when ordinary ships were seen reefed down on the same course. As Clark Russell notes in one of his novels, the skipper of the ship from Europe, as he paced the deck with anxious eyes upon his shortened canvas, fearing that it would be blown from the bolt ropes, very often saw a tiny white speck upon the horizon, watched it grow into a splendid ship with 'every rag set,' saw her fling the Stars and Stripes to the gale, as she went roaring by, and then with feelings that cannot be described, gazed after her until she disappeared in the mists far down the lee." Spears also says in his book The Story of the American Merchant Marine (1910), pp. 148, 149, "When our tonnage in the foreign trade almost reached the million mark in 1810, the most efficient ships in the world were those under the American flag. And the character of our merchant seaman is shown by the fact that when the British confiscated one of our ships, they were obliged to cut down her spars before they could handle her." Morison says of the American clipper ships of 1850: "This new type of sailing vessel — characterized by great length in proportion to breadth of beam, an enormous sail area, and long concave bows ending in a gracefully curved cutwater — had been invented for the China-New York tea trade. . . . When the *Oriental* of New York appeared at London, ninety-seven days from Hong-Kong, crowds thronged the West India Docks to admire her beautiful hull, lofty rig, and patent fittings; the Admiralty took off her lines in dry dock, and *The Times* came out with a leader challenging British shipbuilders to set their 'long practised skill, steady industry and dogged determination' against the 'youth, ingenuity and ardour' of the United States. . . . In 1852 Donald McKay of Boston launched the *Sovereign of*

the Seas, the largest merchant vessel yet built, and the boldest in design: stately as a cathedral, beautiful as a terraced cloud. . . . Four clippers were ordered of Donald McKay for the Australian Black Ball Line. Two of them, the *James Baines* and *Lightning*, were the fastest sailing ships that ever sailed under the red ensign. The *Baines*, with her skysail studding-sails and main moonsail, established the record transatlantic sailing passage — 12¼ days Boston to Liverpool — and then another from Liverpool to Melbourne — 63 days — that still holds good. The *Lightning* on her maiden voyage made a day's run never equalled by a sailing vessel, and not surpassed by a steamship for a generation afterward: 436 nautical miles. . . . 'I cannot tell their wonder, nor make known . . . these splendid ships, each with her grace and glory.' Aberdeen and the Clyde produced a fleet of slim tea clippers that equalled them in beauty; no sailing vessel ever approached them in power, majesty, or speed. It seemed as if all the ingenuity of the Yankee race, with its latent artistic genius, had at last found perfect and harmonious expression. Yet the Yankee clipper fulfilled a very limited purpose: speed to the gold-fields at any price or risk. When that was no longer an object, no more were built; and when the panic of 1857 brought a world-wide depression in shipping, it was the clipper-ship-owners who suffered first and most. British builders, leaving glory to their rivals, were quietly evolving a more useful type of medium clipper, and perfecting the iron screw steamer. . . . By 1857 the British Empire had an ocean-going steam tonnage of almost half a million tons, as compared with ninety thousand under the American flag. England had won back her maritime supremacy in fair competition, by the skill of her engineers and the sturdy courage of her shipbuilders. Civil war turned the Yankee mind to other objects; the Great War revived an ancient challenge." Oxford History of the United States by S. E. Morison (1927), Vol. II, pp. 116–119.

p. 93, n. 1: History of the United States by George Bancroft, 25th ed. (1834–1862), Vol. 2, ch. 11, pp. 69, 70, and ch. 14, pp. 209, 210. History of the United States by Richard Hildreth (1848–1852), Vol. 1, ch. 13, pp. 443, 444; also Vol. 2, ch. 16, p. 1, and ch. 17, p. 44.

p. 93, n. 2: History of the United States by Richard Hildreth (1848–1852), Vol. 2, ch. 17, p. 51.

p. 93, n. 3: *Id.*, Vol. 2, ch. 17, p. 77, and pp. 44, 56.

p. 93, n. 4: *Id.*, Vol. 3, ch. 48, pp. 531, 532, and Vol. 2, ch. 29, p. 572.

p. 93, n. 5: The United States as a Neighbour from a Canadian Point of View by Sir Robert Falconer (1925), pp. 16, 17, 18. And yet New York was not backward in curbing the royal Governors. A. Wyatt Tilby in The English People Overseas, 2nd ed. (1911), Vol. I, p. 239, says: "So strong

was the feeling here [New York] that in 1697 the Governor complained to the legislators of the province, 'there are none of you but what are big with the privileges of Englishmen and Magna Charta.'" Bancroft wrote: "No other colony was tinctured with such fearlessness of monarchical power as New York — at this time [1756] the central point of political interest in English North America." Quoted in Wall Street in History by Mrs. Martha J. Lamb (1883) p. 33.

p. 94, n. 1: So also in Virginia. "The merchants and planters of British sympathies who left Virginia in 1775 and 1776 probably may be counted by hundreds. They were men of character and property, and in many instances of considerable education, and altogether formed the most energetic element in the colony. Their loss was irreparable; and it was many years before Virginia again possessed an active and enterprising commercial class. This was part of the price paid for the Revolution and was inevitable. In a revolutionary state no room existed for serious difference of political opinion; there was the alternative of submission or exile. The commercial Tories, scattered far and wide through an agrarian population, remained helpless in the face of the patriot majority; in Norfolk alone they dared strike a blow for the king." The Revolution in Virginia by H. J. Eckenrode (1916), pp. 119, 120.

p. 94, n. 2: New England in the Republic by James Truslow Adams (1926), p. 8.

p. 94, n. 3: The United States and Canada by George M. Wrong (1921), p. 56. Trevelyan says that in 1776 "When Howe departed from Boston there were eleven hundred people who dared not stay behind, or one for every ten of his soldiers and sailors. They formed the aristocracy of the province by virtue of their official rank; of their dignified callings and professions; of their hereditary wealth; and of their culture, except so far as it partook of that self-education which was open to all. . . . In that numerous contingent of emigrants which left the province when Boston fell, one out of every five was a Harvard man. . . . The loyalists were fully persuaded that they were more estimable than the majority of their fellow-subjects; and they attributed their superiority, whether real or fancied, to themselves and not to their circumstances. They spoke and wrote of their opponents in a tone of class arrogance which, when once the rift came, made reconciliation impossible. . . . So far as the memory of them even in their own neighborhood was concerned, it was much if a later generation pointed out their old home as a house which was haunted by Tory ghosts." The American Revolution by Sir George Otto Trevelyan (1899), Vol. I, pp. 429, 432, 435.

"By a law of the Massachusetts Legislature, three hundred and eight persons of the oldest and most wealthy families in the province were banned the country in May 1778; among their number were included sixty graduates of Harvard and many of the leading professional men of Boston. New Hampshire in like manner banished seventy-six of its citizens, and Pennsylvania nearly five hundred: the other members of the confederacy followed suit. In every case the property of the loyalists was confiscated; death was the penalty denounced upon them if they dared to return. . . . The loyalists had come from every part of the United States; they were soon scattered through every part of the British Empire. Some of the refugees emigrated to the West Indies. Very many went to Nova Scotia and New Brunswick. Several families planted themselves in Lower Canada between Quebec and Montreal, where they cultivated their lands by the side of the French *seigneurs* and peasants, and intermarried with their new neighbours. The great majority, however, proceeded further up the St. Lawrence, settling themselves in the then unpopulated territory which is now called the province of Ontario, but which was, for many years after the first British pioneers traversed its soil, known simply as Upper Canada in distinction to the Lower Canada that had long been the central colony of New France." The English People Overseas by A. Wyatt Tilby, 2nd ed. (1911), Vol. III, pp. 167, 169. Oscar D. Skelton in The Canadian Dominion (1919), pp. 26, 27, being vol. 49 of Chronicles of America says, "New York was strongly Loyalist, with Pennsylvania, Georgia and the Carolinas closely following. In the end some fifty or sixty thousand Loyalists abandoned their homes or suffered expulsion rather than submit to the new order. They counted in their ranks many of the men who had held first place in their old communities, men of wealth, of education, and of standing, as well as thousands who had nothing to give but their fidelity to the old order. Many, especially of the well-to-do, went to England; a few found refuge in the West Indies; but the great majority, over fifty thousand in all, sought new homes in the northern wilderness. Over thirty thousand, including many of the most influential of the whole number (with about three thousand negro slaves, afterwards freed and deported to Sierra Leone) were carried by ship to Nova Scotia. They found homes chiefly in that part of the province which in 1784 became New Brunswick. Others, trekking overland or sailing around by the Gulf and up the River, settled in the upper valley of the St. Lawrence — on Lake St. Francis, on the Cataraqui and the Bay of Quinté, and in the Niagara District."

p. 94, n. 4: The United States as a Neighbour from a Canadian Point of View by Sir Robert Falconer (1925), p. 20. Vernon Louis Parrington in

The Colonial Mind (1927), being Vol. 1 of Main Currents in American Thought, says (p. 192), "The disruption of colonial society resulting from the expulsion of the Loyalists was far graver than we commonly assume. Shiploads of excellent gentlemen, and among them the most cultivated minds in America, were driven from their firesides and sent forth to seek new homes, whether in 'Hell, Hull or Halifax' mattered little to the victors. Upward of forty thousand sought refuge in Canada; thousands more went to the Bahamas; and still other thousands returned to the old home. 'There will scarcely be a village in England without some American dust in it, I believe, by the time we are all at rest,' wrote the Loyalist Dutchman, Peter Van Schaak. Much suffering was endured and much bitterness engendered, and if for years the dominant temper in Canada was fiercely hostile to the United States, the mood is traceable to the expatriated gentlemen who transmitted to their children a grudge against the victorious republicans. It was an unhappy business, but it was scarcely avoidable once appeal was made to the sword. There was no longer place in America for the foolish dream of a colonial aristocracy." Morison says: "In extenuation one may observe that American Tories were less harshly treated than royalists in the French Revolution, or than bourgeois and unionists in more recent upheavals. It was too much to expect of human nature that the Americans should forgive a class of people who, with all their acknowledged merits, had contributed greatly both to the ferocity of the war and to its prolongation. And, after all, the sixty to eighty thousand loyalists who were driven from the United States during the war, and left it voluntarily afterwards, were but a minority of the loyalist party. Very few loyalists were 'driven' out at the close of the war, except persons already proscribed who attempted to return, or persons who had lived within the British lines and had persecuted Whigs during the war. Doubtless many who left with the evacuating armies would have preferred to remain, had they been assured of restitution or decent treatment. As to the numbers of loyalist refugees, Judge Thomas Jones's statement (History of New York during the Revolution, ii, 260, 504–9) that 100,000 left New York City alone in 1783 is grossly exaggerated. The official enumeration of the Commissary General states that 29,244 persons sailed from New York City for various parts of Nova Scotia at the time of the evacuation. A. C. Flick estimates the total emigration from New York State, 1776–87, at 60,000 (Loyalism in N. Y., p. 179). About 16,000 left Savannah and Charleston in 1783, going mostly to East Florida, and eventually to the Bahamas and the West Indies. If we add those who left Boston with Howe and Norfolk with Dunmore, the sum total will be short of 80,000. Sir Charles P. Lucas, in his History of Canada, 1763–1812,

p. 225, states that not more than 40,000 in all took refuge in British North America. This would cut down the total number of all refugees to about 65,000. All these estimates include men, women, children and slaves. See the careful studies by W. H. Siebert on the dispersion of the loyalists, and a letter of Dr. David Colden in Amer. Hist. Rev., xxv. 79." Oxford History of the United States by S. E. Morison (1927), Vol. 1, p. 57.

p. 94, n. 5: The United States as a Neighbour from a Canadian Point of View by Sir Robert Falconer (1925), p. 7.

p. 95, n. 1: Studies in the South and West with comments on Canada by Charles Dudley Warner (1889), pp. 469, 470.

p. 96, n. 1: Our Foreigners by Samuel P. Orth (1920), p. 34, being vol. 35 of Chronicles of America.

p. 96, n. 2: "By 1820 the interior of New York was another New England. As late as 1870 life along the Genesee River was that of a Puritan society. The church, the preaching, the education, the rigid home life, the heightened seriousness, the democracy of feeling, the universality of labour were of exact Puritan pattern. Wide streets and public greens bordered with lofty elms are in many villages and towns, and even in the cities of the Empire state. The New England settlers made these places, and their children of the third and fourth generation live in them to-day." The United States of America by Albert Perry Brigham (1927), p. 247.

p. 96, n. 3: Semple says: "From 1723 to 1784 there was no advance of settlement in central New York, for, though the country was fertile, the location was too exposed to French aggression; and after the removal of this danger, the relatively dense population of the Iroquois tribes was an effective barrier to expansion. . . . Even after the Revolution, which had made the Six Nations the enemy of the colonists, the retention of the Lake posts till 1796 by the British and the strength and number of the Indians themselves deterred the advance of settlements, which in 1800 scarcely extended to the Genesee River." American History and Its Geographic Conditions by Ellen C. Semple (1903), pp. 58, 63. Halsey says that if we bear in mind the Fort Stanwix Treaty line of 1768, which left to the Indians the western part (and much the larger part) of the New York Colony, "we can understand why the first settlement in Binghamton was not made until 1787; the first in Ithaca not until 1784; in Elmira, not until 1787; in Auburn, not until 1793, and in Buffalo not until 1794." The Old New York Frontier by Francis Whiting Halsey (1901), p. 135.

p. 97, n. 1: See The Expansion of New England by Lois K. Mathews (1909), pp. 157, 168, 169. She says (p. 159, note) that of 61 settlers in Rochester, N. Y., between 1794 and 1819, all were New Englanders, except

25 New Yorkers and 1 Scotchman. Halsey says of the settlement of central and western New York after the Revolution that it is "mainly a history of the migration poured into it from Massachusetts and Connecticut, by a people whom Professor Lounsbury has eulogized as 'born levellers of the forest, the greatest wielders of the axe the world has ever known.' They brought not only skill with the axe, but certain arts and refinements in domestic life before unknown to the frontier, and with those arts a spirit of enterprise and invention, with an initiatory energy which carried their own fortunes far and which, more perhaps than all other human forces, have made the central and western parts of New York State what they now are. . . . In the New York Constitutional Convention of 1821 a majority of the 127 members were either born in Connecticut or were sons of fathers who were born there." The Old New York Frontier by Francis Whiting Halsey (1901), pp. 338–340.

p. 97, n. 2: As long ago as 1837 in a book written by Francis J. Grund (The Americans in their Moral, Social and Political Relations) the following appears, Vol. II, pp. 41–43: "In the settlements of new districts it is seldom that Europeans are found to be actively engaged. This honour belongs almost exclusively to emigrants from New England, who may most emphatically be called the pioneers of the United States, and to whose enterprising spirit and recklessness of danger may be inscribed most of the valuable improvements of the country. They are, however, satisfied with tracing the road which the others are to follow, and occupying the most important stations: the intervals are afterwards filled up with settlers from other states and from Europe. The character of the New England emigrants has been too well described by Washington Irving for me to attempt to add to it more than is necessary to understand a certain political type, which may be observed in all states to which they have emigrated in large numbers. The talent of a New Englander is universal. He is a good farmer, an excellent schoolmaster, a very respectable preacher, a capital lawyer, a sagacious physician, an able editor, a thriving merchant, a shrewd pedlar, and a most industrious tradesman. Being thus able to fill all the important posts of society, only a few emigrants from New England are required to imprint a lasting character on a new state, even if their number should be much inferior to that of the other settlers. The states of Ohio and Michigan, and even a large part of the state of New York, offer striking instances of this moral superiority acquired by the people of New England; but it would be wrong thence to conclude that their own habits do not undergo an important metamorphosis, or that, in their new relations in the western states, they merely act as reformers, without being, in turn, influenced by the character of their

fellow settlers. The change, however, is altogether for the better. Their patriotism, instead of being confined to the narrow limits of New England, — a fault with which they have been reproached as early as the commencement of the revolutionary war, — partakes there more of a *national* character. The continued intercourse with strangers from all parts of the world, but more particularly from the different states of the union, serve in no small degree to eradicate from their minds certain prejudices and illiberalities with which they have but too commonly been reproached by their brethren of the south. Tolerance, the last and most humane offspring of civilization, is, perhaps, the only virtue of which the New Englander is usually parsimonious; but even this seems to improve and to thrive in the western states; and I have no hesitation to say, that, in this respect, the inhabitants of those districts are by far more emancipated than those of the Atlantic states, whatever advantages the latter may possess with regard to refinement of manners. I know of no better specimen of human character than a New Englander transferred to the western states."

The New York Times of February 13, 1927, contained an interview with G. K. Chesterton, the English paradoxist. "What are the fundamental differences between the American idea and the British idea which are most marked? I would say that the thing which most impressed me during my visit to America, and something which is entirely foreign to the British, is the American faculty for spontaneous organization of things from below — in other words, the power of self-organization. This, of course, can be turned to good or evil; but I'm not discussing the relative merits of these things. Lynching is one outcome of this American capacity. But on the other hand, if all the politicians and statesmen in America were destroyed overnight — lynch them if you will — your fundamental institution would go right on. Destroy the leaders in England and the masses would be bewildered. The idea of doing things without a trained leader or aristocrat or a committee at the head belongs to America, but not to England."

p. 97, n. 3: See p. 324 *supra* and p. 348 *infra;* also The Expansion of New England by Lois K. Mathews (1909), pp. 174, 181.

p. 97, n. 4: See p. 324 *supra* and p. 348 *infra.*

p. 97, n. 5: See p. 324 *supra* and pp. 348, 353 *infra.*

p. 97, n. 6: "After 1815 New England emigration rose to astonishing proportions, and an increasing number of the homeseekers passed — directly or after a sojourn in the Lower Lake country of New York — into the Northwest. The opening of the Erie Canal in 1825 made the westward journey easier and cheaper. The routes of travel led to Lakes Ontario and Erie, thence by natural stages into other portions of northern Ohio, Indiana

and Illinois, and eventually into southern Michigan and Wisconsin." The Old Northwest by Frederic A. Ogg (1919), Vol. 19, Lincoln Edition of Chronicles of America Series, p. 176. In Expansion of New England by Lois K. Mathews (1909), the following is found (pp. 223, 224): "The character of the Michigan settlers was very largely determined by the fact that most of them came to stay. They did not expect to leave the clearing in the forest as soon as half a dozen neighbors surrounded them; here they intended to plant permanent homes for themselves, and here they meant to rear their children. The sober perseverance of New England, the enterprise of New York, the steadiness of Pennsylvania, — all these were called into requisition by the difficulties of pioneering in Michigan, where almost every mile of ground had to be cleared of trees before large farms could be cultivated. Few wealthy men came at first; the population was made up of hardy, honest, small farmers, very tenacious of their rights, but willing to concede to others the same privileges each demanded for himself. As a consequence there grew up a very independent state, but one which is more flexible in its character than those of New England, by virtue of the compromises necessary where men come from different parts of the country to meet in a wilderness where a commonwealth must be welded by the union of all the diverse elements within its boundaries." Alexis de Tocqueville, travelling from Detroit northward to Saginaw in 1831, described the country as follows: "The only sentiments that one feels in going through these flowering wildernesses where, as in the Paradise of Milton, all is prepared to receive mankind, is a tranquil admiration, a gentle and melancholy emotion, a vague distaste of civilized life, a sort of savage instinct which makes one think with sadness that soon this delightful solitude will have ceased to exist." Quinze jours au désert — Fifteen Days in the Wilderness. The quotation in the original French will be found in Literature of the Middle Western Frontier by Ralph L. Rusk (1925), Vol. 1, p. 3. Harriet Martineau in 1836 went from Detroit westward through southern Michigan, and wrote in her Society in America, Vol. 1, p. 325, "Milton must have travelled in Michigan before he wrote the garden parts of 'Paradise Lost.'" Smith says that as the early settlers of Michigan "advanced into the interior, they found, frequently to their surprise, — for the representations of surveyors in many instances had been of a different character, — a fertile, dry, and undulating soil, clothed with the most charming scenery, intersected by limpid and rapid streams, and studded with small lakes well stocked with delicious fish." Life and Times of Lewis Cass by W. L. G. Smith (1856), p. 144.

p. 97, n. 7: Professor Brigham says: "Michigan has been called a child of New York. To 1877 there had been fourteen governors of the state. Of

these Pennsylvania and Virginia had been the birthplace each of one, while six were born in New York and six in New England." The United States of America by Albert Perry Brigham (1927), p. 248. Senator Hoar wrote of Senator Zachariah Chandler of Michigan that he "had a very large influence in making the State of Michigan another New England." Autobiography of Seventy Years by George F. Hoar (1903), Vol. II, p. 76. A more correct statement is that Michigan's New England characteristics are derived from New England itself by descent. On another occasion in introducing Senator Chandler to make a speech Senator Hoar said: "If our guest had nothing of his own to recommend him, it would be enough to stir the blood of Massachusetts that he represents that honored State, another New England in her interests and in her opinions. . . . Daughter of three mighty lakes, she takes a large share in our vast inland commerce. Her people are brave, prosperous and free. They have iron in their soil, and iron in their blood. Great as is her wealth and her material interest, she shares with Massachusetts the honor of being among the foremost of American States in educational conditions. Massachusetts is proud to —

'Claim kindred there, and have the claim allowed.'" *Id.*, p. 79.

All this is shown by a history published by authority of the legislature of Michigan, giving biographies of 2442 state officials (legislative, judicial and executive) and congressmen from the beginning of the state to 1887. Of those whose nativity was ascertainable (2358) about 1055 were born in New York state; 554 in New England; 230 in Michigan itself; 107 in Ohio; 80 in Pennsylvania; 32 in the Southern and border states; 239 in foreign countries; and the rest scattering. Early History of Michigan with Biographies of State officers, Members of Congress, Judges and Legislatures (1888), published pursuant to Act 59, 1887.

Back of most of these men from New York and Michigan lay a New England ancestry. The New Englanders, New Yorkers, and Michiganders aggregated 1839 of the entire 2358. This accounts for the University of Michigan, the pride of the state. Ohio, Indiana, and Illinois were handicapped. Those states were first settled in their southern counties and from the South (see pp. 324 *supra* and p. 353 *infra*), which has never been enthusiastic over education. The later settlements were diverse in character, leading to numerous denominational colleges. The result was non-concentration and no one university rose to preëminence.

A later publication, Michigan Biographies by the Michigan Historical Association (1924), gives the biographies of some 3773 state officials (legislative, judicial and executive and state boards), and congressmen, from the beginning of the state to 1924. Of these about 1254 were born in New

York State; 945 in Michigan itself; 591 in New England; 197 in Ohio; 108 in Pennsylvania; 47 in New Jersey; 43 in Indiana; 24 in Illinois; 26 in Wisconsin; 53 in the Southern and border states; and the rest scattering, including 478 from abroad, of whom 193 were Canadians; 98 English; 53 Irish; 38 Scotchmen; 65 Germans; and 10 Hollanders. In one county in Southern Michigan (Hillsdale), a book published in 1879, giving biographies of leading citizens, shows that out of 292 citizens 221 came from New York State, 37 from New England, 20 from Ohio, 7 from Pennsylvania and New Jersey, 5 from England, 1 from Scotland, and 1 from Prussia. One town reported that "by far the greater proportion of the early inhabitants of this town, as is the case of all others in Southern Michigan, emigrated from the 'Empire State.'" History of Hillsdale County, Michigan, by Evarts and Abbott (1879), p. 243.

Ohio originally received about one-fifth of its population from Virginia and North Carolina and a few from Kentucky, only 22 of its 102 members of the legislature in 1822 being from the South, including Kentucky. (*Cp.* p. 324 *supra.*) Indiana in 1825 had over half of its legislature from Kentucky and the South. In Illinois in 1818 over two-thirds of the population were from Kentucky and the South. In Missouri in 1820 about three-fourths of the constitutional convention were from Kentucky and the South. Literature of the Middle Western Frontier by Ralph L. Rusk (1925), Vol. 1, pp. 14, 15, notes.

After pointing out that emigration to the West was first from Virginia and the Carolinas over the Alleghenies to Kentucky, and second by the Ohio River, Rusk says: "A large proportion of the Northern immigrants, however — especially of those from New England and New York — formed a third great division in the movement toward the frontier, reaching Ohio, and later Michigan, by way of the Great Lakes or along their shores; and from these states there was a constantly increasing overflow into the northern parts of Indiana and Illinois, and finally into Iowa and Wisconsin. No doubt the Western Reserve in Ohio attracted a more nearly pure New England population than any other section of the new country, but the influence of both New England and New York was strongly felt from the Reserve westward over a broad area. The inrush of population along this northermost route, which had received considerable stimulus from the inauguration of steamboat service on the Lakes in 1818, was vastly increased by the opening of the Erie Canal through the state of New York in 1825." *Id.*, Vol. 1, pp. 16, 17.

p. 97, n. 8: Life and Times of Lewis Cass by W. L. G. Smith (1856), pp. 109, 104.

p. 97, n. 9: Eugenical News, August, 1927, containing address of Frank L. Babbott, president of Eugenics Research Association. Dr. H. H. Laughlin in a statement before a House Committee at Washington on March 8, 1924, said (p. 1276): "In New York State in 1922 the State government expended $15,831,773.67 for the care and maintenance of the insane in her several State hospitals. Of these insane in these hospitals, 45.6 per cent of the first admissions were foreign born. Roughly, if we ascribe the same cost for the maintenance of native and foreign-born inmates, we would say that 45.6 per cent of this sum — $7,219,288.94; roughly, $7,000,000 — were expended in 1922 by New York State for the care of the alien insane in her State hospitals only. This excludes the municipal and private institutions. It includes only the insane. It does not take into account the cost of maintaining other types of inadequates — the feeble-minded, the criminalistic, and the like — and this is for New York State only, the most populous and richest out of 48." Dr. Laughlin's statistics on that occasion substantiated his prior statistics given to the same Committee in November, 1922.

p. 99, n. 1: Essay on Wealth by Ralph Waldo Emerson.

p. 100, n. 1: See History of the United States by Henry Adams (1889–1917), Vol. 1, p. 115.

p. 100, n. 2: With Americans of Past and Present Days by J. J. Jusserand (1916), p. 68. Within two months Yorktown fell. The news reached Philadelphia in the middle of the night. An old German watchman went through the streets, calling out: "Basht dree o'-glock, und Gornwal-lis isht da-ken." Diary of the American Revolution by Frank Moore (1859), Vol. 2, p. 518.

p. 100, n. 3: The author of these lines is not known. They were in a collection of American war verses. Additional lines and a little different arrangement are found in Some Memories of the Civil War by George Haven Putnam (1924), p. 296. Valley Forge was not the only place that tested the fortitude of the American soldiers. Trevelyan, the eminent English historian, whose writings have done much to allay the feeling between the United States and England, wrote of Greene's army in the Carolinas in 1780 and 1781: "Shoeless and in rags, and laden with their heavy fire-locks, they plodded through the wilderness for month after month of a never-ending campaign without showing any perceptible diminution in their martial ardour. After a lost battle, — which was a familiar experience to them, — they almost instantaneously recovered their self-confidence, and their self-complacency, with the invaluable elasticity of the American soldier. . . . They sometimes got nothing for ten or twelve days running except half a pound of flour, and a morsel of beef 'so miserably poor that

scarce any mortal could make use of it,' and were fain to live upon green corn, and unripe apples and peaches." George the Third and Charles Fox by Sir George Otto Trevelyan (1914), Vol. II, p. 162. In regard to the march through Philadelphia, Trevelyan says, "the army traversed the streets amidst a tempest of cheering," and the citizens were "profoundly stirred when the ragged battalions of their own countrymen went past with swinging strides, and weather-beaten, resolute visages." *Id.*, p. 373. Again Trevelyan says: "Robert Morris, by a miracle of energy and persuasiveness, which it would not have been possible for him ever to repeat, had contrived that the men should find beef and bread at every stage in their march, and a respectable flotilla of boats for their conveyance down the Bay when they arrived at the Head of Elk. Provisions, and shipping, could be obtained in kind, and on credit; but ready cash was a commodity less easy to procure. . . . The Finance Minister of the United States was only too well aware that Congress, with the best of will, could not help him to find the money. So he went, hat in hand, up and down the city, borrowing, on his own responsibility, from 'his mercantile and other friends,' until he had scraped together a collection of ten thousand dollars. Twenty thousand more were lent by General Rochambeau, on a personal engagement that they should be repaid before the month of September closed." *Id.*, pp. 374, 375.

p. 101, n. 1: History of the United States by Henry Adams (1889–1917), Vol. 1, pp. 115–117; also Life of Albert Gallatin by Henry Adams (1880), p. 146.

p. 101, n. 2: See also as to comparative populations pp. 72, 92 *supra*.

p. 102, n. 1: Later generations of Quakers are different as the following shows in regard to the Civil War; "The Quakers . . . had scruples against bearing arms, but in the cause of freeing the slaves they forgot, or set aside, their beliefs and it is said that the per cent. of Quakers which went into the Union Army was greater than that from any other religious denomination." Uncle Joe Cannon, The Story of a Pioneer American as told to L. White Busbey (1927), p. 8.

p. 102, n. 2: Beginnings of the American People by Carl Becker (1915), pp. 179, 180.

p. 102, n. 3: History of the United States by Richard Hildreth (1848–1852), Vol. 2, p. 378.

p. 102, n. 4: "Much of the Pennsylvania assembly's recalcitrancy in the war had been attributed to Quaker control of the house, but this disappeared in 1756. The situation in Pennsylvania during the fall of 1755 had aroused the authorities in England, and it was proposed in 1756 that Quakers should

be excluded from the assembly by imposing an oath [Quakers will not take any oath] on all representatives by act of Parliament. A measure to this end was introduced into Parliament, but prominent London Quakers promised to persuade the colonial Friends not to stand for reëlection, and the bill was withdrawn. A number of Quakers resigned from the assembly; others refused to stand for election when a new house was chosen in the fall; and when the assembly met in October, Quaker domination was gone." Virginia and the French and Indian War by Hayes Baker-Crothers (1928), pp. 109, 110.

p. 103, n. 1: General Greene was born and raised in Rhode Island as a Quaker. The Society of Friends, however, expelled him for his belligerency. He was a superb general, second only to Washington, and perhaps Providence intended that he atone for the military delinquencies of his sect.

p. 104, n. 1: Professor Dowd says, "Among other examples of intermingling of races on high levels, we may mention the French and English in Canada, the English and Dutch in Colonial New York and in South Africa, the Spanish and Italians in Argentina, and the Teuton and Slav in what was formerly Austria-Hungary." The Negro in American Life by Jerome Dowd (1926), p. 436. On the other hand, the amalgamation of two races fundamentally different does not give good results. Hence when Baron Kaneko of Japan wrote Herbert Spencer as to whether intermarriage of Japanese with foreigners should be favored by Japan, Spencer replied in a famous letter in which he said: "It should be positively forbidden. It is not at root a question of social philosophy. It is at root a question of biology. There is abundant proof, alike furnished by the intermarriage of human races and by the interbreeding of animals, that when the varieties mingled diverge beyond a certain slight degree the result is inevitably a bad one in the long run. I have myself been in the habit of looking at the evidence bearing on this matter for many years past, and my conviction is based on numerous facts derived from numerous sources. . . . By all means, therefore, peremptorily interdict marriages of Japanese with foreigners." Expansion of Races by Charles Edward Woodruff (1909), p. 211.

p. 104, n. 2: The Group Mind by William McDougall, 2nd ed. (1928), pp. 331, 332.

p. 105, n. 1: The Winning of the West by Theodore Roosevelt, Dakota Edition (1908), Vol. 1, p. 121. Lord Bryce says, "Like other great and good things, both the Irish and the Scotch peoples have had their detractors. Criticisms have been passed upon them. It has been said of the one race that it was reckless, dashing, bold, extravagant, imprudent. It has been said of the other race that it was dry, cautious, even parsimonious. I will

not stop to enquire whether these charges are justly brought against either, for the sufficient reason that you are neither pure Scotch nor pure Irish, but a blend of both, and I never heard any charge whatever against the blend, except that of having 'an unco guid conceit' of itself. On the contrary, it is well understood — all those historians whose tales of your settlement here and achievements for America I have perused seem to agree — that the Scotch-Irish or Irish-Scotch, whichever way you like to have it, combine the characteristic virtues of both the races, that they unite the tenacity, perseverance, and shrewdness of the Scotsman of Alban with the fire, dash, and geniality of the Celt of Erin, and that these are the qualities which have made them valued not only in the United Kingdom, as I shall presently show you, but also in this land of their adoption." University and Historical Addresses by James Bryce (1913): Address on The Scoto-Race in Ulster and in America, delivered February, 1909, p. 210.

p. 105, n. 2: The Old World in the New by Edward A. Ross (1914), p. 13.

p. 105, n. 3: History of Braddock's Expedition (1855), p. 77, quoted in A Tribute to the Principles, Virtues, Habits and Public Usefulness of the Irish and Scotch Early Settlers of Pennsylvania by George Chambers (1856), 2nd ed. (1871), p. 34.

p. 105, n. 4: see p. 324 *supra:* also Frederick J. Turner in the Rise of the New West (1906) in The American Nation Series, Vol. XIV, pp. 143, 144.

A. M. Simons in Social Forces in American History (1920) says (pp. 191, 192): "Stephen A. Douglas, discussing the admission of Kansas in the United States Senate, February 29, 1860, spoke as follows of the immigration into Illinois prior to 1830: 'The fact is that the people of the territory of Illinois, when it was a territory, were about all from the southern states, particularly from Kentucky and Tennessee. The southern end of the state was the only part at first settled. . . . The northern part . . . was then in the possession of the Indians, and so were northern Indiana and northern Ohio; and a Yankee could not get to Illinois at all, unless he passed down through Virginia and over into Tennessee and Kentucky. The consequence was that 99 out of 100 of the settlers were from the slave states.'"

p. 106, n. 1: Encyclopædia Britannica, 11th ed. (1911), Vol. XXIV, p. 430.

p. 108, n. 1: University and Historical Addresses by James Bryce (1913): Address on The Scoto-Irish Race in Ulster and in America, delivered February, 1909, p. 209. He also says (p. 219), "A certain number of the Scots who migrated to Ulster intermarried with the Celtic Irish in Derry and Tyrone, and a certain number of aboriginal Irish became Protestants and as such joined the Scoto-Irish Presbyterian body. There was, more-

over, in those who went from Scotland to Ulster and came from Ulster hither a good deal of Gaelic blood."

Wingfield-Stratford (a recent English writer) says of the Scotch-Irish in Ulster: "Thus was a community planted and established in Ireland, where it was in closest touch of all with Great Britain, of a quality and religion diametrically opposite to that of their fellow Irishmen. All sorts of settlers emigrated there, but in time the Scottish Calvinist element came to predominate, partly because Ulster was at the very door of the Lowlands, partly because the ecclesiastical policy of the Stuarts caused many good Presbyterians to emigrate, and partly because the Scots took more kindly to the country, and even roused the wrath of the home government by daring to intermarry with the Irish." The History of British Civilization, by Esmé Wingfield-Stratford (1928), Vol. 1, pp. 529, 530.

p. 109, n. 1: Old Virginia and Her Neighbors by John Fiske (1901), Vol. 2, p. 457.

p. 109, n. 2: *Id.*, Vol. 2, p. 458.

p. 109, n. 3: *Id.*, Vol. 2, p. 459.

p. 109, n. 4: By reason of the unjust laws restricting and even prohibiting trade in the American Colonies it was considered no reproach to smuggle. Faulkner says, "It was estimated that in 1700 one-half of the trade of Boston was in violation of the law. David A. Wells, writing on the American Merchant Marine in Lalor's Cyclopædia of Political Science, says of the colonial merchants, 'Nine-tenths of their merchants were smugglers. One-quarter of all the signers of the Declaration of Independence were bred to commerce, to the command of ships and to contraband trade. Hancock, Trumbull (Brother Jonathan), and Hamilton were all known to be cognizant of contraband transactions and approved of them. John Hancock was the prince of contraband traders, and with John Adams as his counsel, was appointed for trial before the admiralty court in Boston at the exact hour of the shedding of blood at Lexington, in a suit for $500,000 penalties alleged to have been incurred by him as a smuggler.'" See American Economic History by H. U. Faulkner (1924), text and also note 1 on p. 147. This suit against Hancock was probably a case of superannuated spite — a persecution for his opposing the British Government. Hancock was defended by John Adams in 1768 and later Adams wrote in his Autobiography as follows: "There were few days through the whole winter, when I was not summoned to attend the Court of Admiralty. It seemed as if the officers of the Crown were determined to examine the whole town as witnesses. Almost every day a fresh witness was to be examined upon interrogatories. They interrogated many of his near relations and most intimate friends, and threatened

to summon his amiable and venerable aunt, the relict of his uncle Thomas Hancock, who had left the greatest part of his fortune to him. I was thoroughly weary and disgusted with the court, the officers of the Crown, the cause, and even with the tyrannical bell that dangled me out of my house every morning; and this odious cause was suspended at last only by the battle of Lexington, which put an end, forever, to all such prosecutions." The Life and Works of John Adams by his grandson Charles Francis Adams (1850), Vol. 2, pp. 215, 216.

Nearly every merchant smuggled and the English government knew it. Without smuggling much of the trade would have ceased altogether. It was not until England began enforcement of its American colony tariff laws that trouble began. Professor Brigham well says: "In 1776 the colonists were many, wealthy and had built their fortunes through their own toil and genius. Many of these fortunes had waxed upon the profits of an illegal West Indian trade, but there was no sense of moral wrong in using the gifts of a new world for themselves and in ignoring the behests of London." The United States of America by Albert Perry Brigham (1927), p. 3. Garner and Lodge say: "The evasion of the Navigation Laws by smuggling became notorious, and the British customs officials made little effort to put a stop to it, if they did not actually wink at it. Everywhere public sentiment favored it, and juries returned verdicts of not guilty in the face of the most undoubted facts. It is stated by an impartial authority that no less than nine-tenths of the tea, wine, sugar and molasses imported into New England for many years before the Revolution were smuggled in violation of the acts of trade. Persons of the highest social standing and influence in New England, like John Hancock, of Boston, were guilty of such conduct, and it was not regarded as reprehensible." History of Nations Series, Vol. 23: The United States by James Wilford Garner and Henry Cabot Lodge (1906), Vol. 1, p. 205.

Palfrey, writing as of the year 1765 says: "Hitherto the duties on goods imported from the French and Spanish islands into the continental colonies had been so high as to be prohibitory. But in the absence of entries of such goods at the custom-houses, there had been all along an active illicit traffic, if that traffic is to be called illicit which was notorious and avowed, and at which the revenue officers constantly and openly connived. For generations they had practised this indulgence in New England without apprehension of being called to account by their superiors; for the effect of it was not prejudicial, but highly advantageous, to the business of the mother country, since by the lumber, fish, and live stock which they sent to Cuba and Guadaloupe, the New England people got sugar and molasses,

which furnished them with money to pay for English manufactures." Compendious History of New England by John G. Palfrey (1873), Vol. IV, p. 331. West says: "In 1660 tariff duties, both for the colonies, and for England, had been imposed on a long list of goods. In the colonies, however, this Act was always practically a dead letter. There was no proper machinery to enforce it; and no serious attempt was made to do so. Whenever the restrictions were seriously troublesome, they were evaded by smuggling." Story of American Democracy by Willis Mason West (1922), pp. 111, 112. Samuel Peters, an expatriated American Tory, wrote soon after the Revolution: "Smuggling is rivetted in the constitutions and practice of the inhabitants of Connecticut . . . and their province is a storehouse for the smugglers of the neighboring colonies. They conscientiously study to cheat the King of those duties, which, they say, God and nature never intended should be paid. From the governor down to the tithingman, who are sworn to support the laws, they will aid the smugglers, resist collectors, and mob informers." Quoted on p. 262 of The Colonial Mind (1927) by Vernon Louis Parrington, being Vol. 1 of Main Currents in American Thought. Moses Coit Tyler says: "For many years, acts of parliament had been nominally in force in the colonies, imposing duties on the importation of various articles of common use; but from all these sources of revenue, and along with an outlay of more than seven thousand pounds a year for its collection, the treasury had received only an insignificant sum, — on an average of thirty years, less than nineteen hundred pounds sterling a year. Up and down the entire coast of America, the revenue laws had been notoriously evaded, with the corrupt connivance, in many cases, of the very officers who had been appointed to execute them." Literary History of the American Revolution by Moses Coit Tyler (1897), Vol. 1, p. 45. "Sir Robert Walpole when in control said, 'It has been a maxim with me, during my administration, to encourage the trade of the American colonies to the utmost latitude: nay, it has been necessary to pass over some irregularities in their trade with Europe; for, by encouraging them to an extensive, growing foreign commerce, if they gain five hundred thousand pounds, I am convinced that, in two years afterwards, full two hundred and fifty thousand pounds of this gain will be in his majesty's exchequer, by the labor and produce of this kingdom, as immense quantities of every kind of our manufactures go thither.'" History of the United States by George Bancroft, 23rd ed., vol. 3, ch. 23, p. 383. Bancroft also states (Vol. 6, ch. 48, p. 434) that the Stamp Act produced only about £1500, and most of this was from Canada and the West Indies. Its administration cost £12,000. The duties on articles netted only £85 after paying direct cost of collecting, and

as against this £85 were several hundred thousands of pounds expended for soldiers and ships to assist the collecting officers. A History of Economic Progress in the United States by Walter W. Jennings (1926) gives (p. 91) the English restrictions on the colonies and then states (p. 105) that "The Townshend duties were obviously a failure. In place of yielding £40,000 a year, as their author had boasted, they yielded during the three years that they were in operation only about £16,000, and to collect that amount the government paid out £200,000."

The following is from that picturesque comico-historical artist, Van Loon: "The Americans of the eighteenth century, as indeed all other people of the eighteenth century, consumed large quantities of what our fathers used to call 'likker.' In New England they drank rum; in New York they preferred gin; in Canada they remained faithful to their trusted old cognac; but everywhere they drank. Yea, they drank so much that in certain of the states rum was the most important article of export. But in order to make rum the Puritan distilleries had to have large quantities of sugar and molasses. These necessary ingredients could be imported quite cheaply from the neighboring islands of the West Indies. The majority of those islands, however, belonged either to the French or to the Dutch. According to the current English law, they were therefore 'out of bounds' and the New Englanders were obliged to buy their sugar and molasses in the mother country where the merchants made the best of the monopoly which their government had so kindly placed at their disposal.

"Question: Did the New Englanders, as obedient subjects of His Majesty, King George, therefore sail across the ocean to buy their sugar at one hundred dollars a ton in London or Bristol?

"Answer: They did not. As obedient but none the less intelligent subjects of His Majesty, King George, they sailed to Guadalupe or St. Eustatius and bought their sugar at thirty dollars a ton.

"Question: Did the government of His Majesty King George like this?

"Answer: It did not.

"Question: Did this prevent the New England skippers from continuing the evil practice of rum or sugar running?

"Answer: It most certainly did not."

As to tea he says: "At first the American colonists bravely set forth to do without tea. But they had always drunk tea. The poison was in their system. They must have tea. 'Very well,' said the skippers from Nantucket and Plymouth, 'we can smuggle tea just as easily as sugar,' and they sailed forth to Curacao and returned with nice fat cargoes of tea, very cheap as to price, imported directly from the Dutch East Indies. This

made it possible for people to have their usual cup without feeling that they were unfaithful to their principles and within a few months the storehouses along the New England waterfront were filled to bursting with Dutch tea. This meant a serious loss to the English tea-dealers and they became very angry. English merchants with a grievance are a dangerous folk. Parliament decided that something must be done. Accordingly, large quantities of tea, grown by the British East India Company, were dumped upon the American shore and with the help of a government subsidy were offered to the public at a much lower price than the Dutch article, The honest smugglers (and they belonged to the most influential classes of society) felt that the government by underselling them was guilty of a gross breach of commercial etiquette. Their publicity department got busy. Newspaper articles and broadsides denounced as 'traitors' all those who drank British tea." America by Hendrik Van Loon (1927), pp. 161, 163, 164. In short the unjust laws of England in colonial times led to universal smuggling, and England did not seriously attempt to enforce those laws in America. So little attention was paid to them that the governmental expense in collecting import duties was more than the receipts. As stated above, Walpole's administration winked at smuggling. Bancroft's History of the U. S., 23rd ed., Vol. 3, ch. 23, p. 383. J. Franklin Jameson in his American Revolution Considered as a Social Movement (1926), says (pp. 82, 83): "In the long list of American grievances against the British government, not the least had been the series of petty enactments by which it had been sought to confine the colonies to the production of raw materials, while England monopolized the manufacturing industries of both countries. So early as 1699 the woollen manufactures of New England had become large enough to attract the attention of old England. An act was passed in that year to prevent, under heavy penalties, the export from the colonies, or from colony to colony, of any 'Wool, Woolfells, Shortlings, Morlings, Wool Flocks, Worsted, Bay or Woollen Yarn, Cloath, Serge, Bays, Kerseys, Says, Frizes, Druggets, Cloath Serges, Shalloons or any other Drapery, Stuffs or Woollen Manufactures whatsoever.' In 1719 the House of Commons resolved 'that the erection of manufactories in the colonies tends to lessen their dependence on Great Britain.' The plentiful supply of beaver in the colonies led to a considerable manufacture of hats. In 1732 an act of Parliament was passed which forbade the exportation of hats from the colonies, and prohibited any hatter from taking more than two apprentices. The iron manufacture grew. England welcomed the increased supply of pig and bar iron, but wished absolutely to engross to herself all further manufactures. In 1750 Parliament prohibited the erection of any rolling-, slitting-, or plating-mill,

and all manufacture of steel." See also Bancroft's History of United States, Vol. 5, pp. 265, 267, 25th ed. (1834–1862); also Hildreth's History of United States, Vol. 2, pp. 213, 297, 352, 431 (1848–1852). Swift summarizes the acts of Parliament oppressing and suppressing the American colonies as follows: "They could not export sugar, tobacco, cotton, indigo, ginger, dyewoods, molasses, rice, (except the cheapest rice), beavers, pelts, copper ore, pitch, tar, turpentine, masts, yards, bow-sprits, coffee, pimento, cocoa-nuts, whale-fins, raw silk, hides, skins, pot and pearl ashes anywhere but to Great Britain. No foreign ships could enter a colonial harbor. They could import wines from the Madeiras and the Azores on paying a duty to England. Victuals, horses and servants might be brought from Ireland; and New England, New York, Pennsylvania and Quebec might import salt. In all other things Great Britain was the sole market in which the colonies might buy or sell. To keep down the production of wool the colonies were forbidden to convey wool or anything containing wool from one province to another or to England. To help the hatters in England, no hat could be sent from one plantation to another. Added to this the laws were to be enforced by civil, military and naval officers. Those charged with breaking the law were to be tried without a jury before a single judge whose pay was his share in the profits when he condemned seized property and ordered it sold." How We Got Our Liberties by Lucius B. Swift (1928), p. 155. A. Wyatt Tilby in The English People Overseas, 2nd ed. (1911), Vol. III, p. 21, says, "the system was unsatisfactory which cost £7000 or more to collect customs dues whose total amounted to no more than £1000 or £2000. . . . Apart from the Navigation Acts, the Americans had long been forbidden to export woollens, since they might thus have damaged a leading English industry. In 1731 they were forbidden to manufacture hats, lest their products should compete with British goods. In 1750 the manufacture of American hardware was prohibited for a similar reason; the lucrative whaling industry was likewise suppressed. Such measures were the practical application of the narrow commercial theories of the day; but they would have been approved by every economist and assuredly by every English trader in the eighteenth century. And if parliament suppressed colonial industry on the one hand, where it might compete with the British, it assisted it on the other, where competition was impossible. It encouraged the American trade in tar, lumber, pitch, and hemp; and the tobacco grown in Virginia and Maryland enjoyed an absolute monopoly of the home market." Lecky ascribes the American Revolution to Grenville's new tax in America to maintain an army, the same as the Irish tax to maintain from 12,000 to 15,000 Irish soldiers for the general purposes of the Empire.

Lecky says of the mistakes of England in dealing with America, "There are few sadder and few more instructive pages in history than those which show how mistake after mistake was committed, till the rift which was once so small widened and deepened; till the two sections of the English race were thrown into an irreconcilable antagonism, and the fair vision of an United Empire in the East and in the West came for ever to an end." The Political Value of History by W. E. H. Lecky (1893), p. 44.

Wingfield-Stratford (a recent English writer), speaking of English restrictions on manufacturing, trading, etc., in English Colonies says: "This was bad enough where other nations were concerned, but it was ruinous when applied to our own fellow subjects and dependents. England's treatment of Ireland was that of a tough who insists on playing with an unarmed man whom he knows to be at his mercy, and so grasping was her spirit that she did not hesitate to turn a penny by squeezing Protestant Ulster. In Bengal the tyranny of her merchant governors created a record even in that land of many oppressions. And in America, where the sole hope for British rule was in the loyalty of our colonists, we tried to deal with them on business principles, and it went hard, but they bettered the instruction." The History of British Civilization by Esmé Wingfield-Stratford (1928), Vol. 2, p. 650.

p. 109, n. 5: See Scotch-Irish in America by Henry James Ford (1915), p. 208.

p. 109, n. 6: History of the United States by Richard Hildreth (1848–1852), Vol. 1, 2nd Series, p. 373.

p. 110, n. 1: See History of the United States by George Bancroft, 23rd ed. (1834–1862), Vol. 3, Ch. 23, p. 370.

p. 110, n. 2: Pioneers of the Old Southwest by Constance L. Skinner (1919), p. 5, being Vol. 18 of Chronicles of America.

p. 110, n. 3: History of the United States by George Bancroft, 25th ed. (1834–1862), Vol. 3, Ch. 23, p. 371.

p. 110, n. 4: *Id.*, Vol. 5, Ch. 4, p. 76. John Quincy Adams wrote in his Diary in 1840, when Bancroft's history was first issued: "Read the sixth chapter of the first volume of Bancroft's History of the United States. This chapter is entitled 'Restrictions on Colonial Commerce.' It is a very lame account of the English Navigation Act, and a florid panegyric upon the first settlers of Virginia, upon the soil and climate of that country, upon the Indian monarchs Powhatan and Opecancanough, in equal measure. With all this he has transcendent talents and indefatigable industry. Every page of his history teems with evidences of profound research, quick perception, and brilliant imagination. It is extremely entertaining; the style

diffuse and declamatory, far less chaste, though more fascinating, than that of Irving or of Prescott; the morality ostentatious, but very defective." Diary of John Quincy Adams, edited by Allan Nevins (1928), p. 513. Bancroft's great work has in recent years been criticised as one-sided and unfair towards the British, and also as diffuse, ornate, and at times oratorical in style. His general accuracy as to facts is not seriously questioned and it is admitted that he presented a vast mass of original matter which his researches brought to light. See A Frontier Town and Other Essays by Henry Cabot Lodge (1906): Essay on American History, p. 214. As to style he does go too far for the present idea of a historical composition, just as the Cambridge Histories go too far in the opposite direction, being too deadly dull to be read and without the slightest attempt to make them attractive as literature. A history without style, however accurate in its facts, will drive away the public and deprive the historian of the celebrity he formerly attained. Lodge well says: "We owe much to the adoption of scientific methods in history; but if we give way to the intolerable dogma that history, in order to be really scientific, must divest itself of all connection with literature, it would be better never to have attempted those methods, and to have blundered along in the old way. When Mr. Bury, the Regius Professor of History at Cambridge, announces that 'history is not a branch of literature,' he advances a proposition which, if adopted, would kill history, and which could by no possibility give us science in its place." A Frontier Town and Other Essays by Henry Cabot Lodge (1906): Essay on History, pp. 105, 106. As to the British, Bancroft wrote when British authors vied with each other in abusing everything American, and Bancroft was enough for them. Suffice it to say that he furnished inspiration of patriotism for a whole generation before the Rebellion, when such inspiration was badly needed. His history had an extraordinary circulation and has not yet been relegated to the shelves of unread books.

p. 111, n. 1: The English in Ireland by James A. Froude (1873), Vol. 1, p. 394.

p. 111, n. 2: *Id.*, Vol. 2, pp. 125, 126.

p. 112, n. 1: History of England by William E. H. Lecky (1878), Vol. 2, p. 262.

p. 112, n. 2: Immigration and Americanization, edited by Philip Davis (1920): Emigration from the United Kingdom by Stanley C. Johnson, p. 95.

p. 112, n. 3: American Revolution by John Fiske (1901), Vol. 2, p. 200.

p. 112, n. 4: A Political and Social History of the United States by Homer C. Hockett (1925), p. 60.

p. 113, n. 1: The Development of the United States from Colonies to a World Power by Max Farrand (1918), p. 19.

p. 113, n. 2: Pioneers of the Old Southwest by Constance L. Skinner (1919), p. 2, being Vol. 18 of Chronicles of America.

p. 113, n. 3: Old Virginia and Her Neighbors by John Fiske, Vol. 2, p. 373, De Luxe Edition (1901).

p. 113, n. 4: It was probably from this stock that "popular legends grew up in the West around such doughty heroes as Mike Fink, king of river outlaws, whose reputation as a humorist and practical joker helped make him secure in the backwoodsman's esteem. His vivid rhetoric aroused particular admiration, and he was known for his stock challenge to a quarrel: 'I can out-run, out-hop, out-jump, throw down, drag out and lick any man in the country. I'm a Salt-river roarer; I love the wimming and I'm chock full of fight.' The declaration of the Kentucky ruffians that they were 'half horse, half alligator' early became a backwoods classic." Literature of the Middle Western Frontier by Ralph L. Rusk (1925), Vol. 1, p. 73.

Henry Watterson used to tell how the frontier Kentuckian, full of bad whiskey, would waltz around a saloon and yell: "I'm a wolf from Bitter Creek and its my night to howl. The farther up the stream you go the worse they are; I come from the head waters."

In 1815 Timothy Flint, a preacher, with his wife and children, moved west and described the men. Venable says: "The amiable missionary adds, with a touch of pious humor, that he often dropped among them, as if by accident, that impressive tract, 'The Swearer's Prayer.'" Footprints of the Pioneers in the Ohio Valley by W. H. Venable (1888), p. 87.

Another episode was in a small Illinois town where a half drunken man on horseback, a cousin of one who became later a noted statesman and diplomat, rode his horse straight into a lawyer's office and after saluting him, solemnly said:

"We come into this world all naked and bar,
"We go out of this world we know not whar.
"But if we do well here we will do well thar."

And then he as solemnly wheeled his horse and rode out again.

Morison relates the way of protecting land titles: "Prospective buyers were sometimes frightened away by squatter eloquence, of which a specimen is given in The Palimpsest (Iowa City), v. 105. 'My name, sir, is Simeon Cragin. I own fourteen claims, and if any man jumps one of them, I will shoot him down at once sir. I am a gentleman, sir, and a scholar. I was educated at Bangor, have been in the U. S. army, and served my country faithfully — am the discoverer of the Wopsey — can ride a grizzly

bear, or whip any *human* that ever crossed the Mississippi, and if you dare to jump one of my claims, die you must!'" Oxford History of the United States by S. E. Morison (1927), Vol. 1, p. 390, note 2.

These westerners were certainly picturesque talkers. One of them described the Mississippi steamboats as "fairy structures of Oriental gorgeousness and splendor . . . rushing down the Mississippi as on the wings of the wind, or plowing up between the forests and walking against the mighty current as things of life; bearing speculators, merchants, dandies, fine ladies . . . with pianos, novels, cards, dice, and flirting, and love making, and drinking; and, on the deck, three hundred fellows, perhaps, who have seen alligators and fear neither gunpowder nor whiskey." Story of American Democracy by Willis Mason West (1922), pp. 395, 396.

Mark Twain tells of the wordy war between two river braggadocios, one of whom said he "could lam any thief in the lot." The other shouted,

"'Set whar you are, gentlemen. Leave him to me; he's my meat.' Then he jumped up in the air three times, and cracked his heels together every time. He flung off a buckskin coat that was all hung with fringes, and says, 'You lay thar tell the chawin-up's done'; and flung his hat down, which was all over ribbons, and says, 'You lay thar tell his sufferin's is over.' Then he jumped up in the air and cracked his heels together again, and shouted out: 'Whoo-oop! I'm the old original iron-jawed, brass-mounted, copper-bellied corpse-maker from the wilds of Arkansaw! Look at me! I'm the man they call Sudden Death and General Desolation! Sired by a hurricane, dam'd by an earthquake, half-brother to the cholera, nearly related to the small-pox on the mother's side! Look at me! I take nineteen alligators and a bar'l of whiskey for breakfast when I'm in robust health, and a bushel of rattlesnakes and a dead body when I'm ailing. I split the everlasting rocks with my glance, and I squench the thunder when I speak! Whoo-oop! Stand back and give me room according to my strength! Blood's my natural drink, and the wails of the dying is music to my ear! Cast your eye on me, gentlemen, and lay low and hold your breath, for I'm 'bout to turn myself loose!'" And then Mark Twain calmly asserts that a third man, "a little black-whiskered chap," thoroughly thrashed both of them. Life on the Mississippi by Mark Twain (1874), ch. 3.

Morison, speaking of the lesser Virginia planters, says: "Below them was an unstable and uneasy class of yeomen, outnumbering the planters in the piedmont. Descended largely from indented servants and deported convicts, these peasants, as the gentry called them, were illiterate, ferocious, and quarrelsome. It was in this class, and the frontiersmen they produced, that the practice of 'rough-and-tumble' fighting, accompanied by biting and

gouging, prevailed: a method of fighting prevalent in rural England before Jack Broughton and the 'fancy' established the rules of fair play. It lingered in the American backwoods until after the Civil War." Oxford History of the United States by S. E. Morison (1927), Vol. 1, p. 30.

It is said that even at that early day, 1838, there were some fifty thousand of these wild rovers of the river. They were not English, the English not being loud boasters. Nor German, the Germans being phlegmatic. Nor Irish, the Irish not yet having begun to come in large numbers. They evidently were Scotch-Irish, exhilarated by American environment and accessories. The early life of Andrew Jackson had much of similar excitement, self assertion, and escapades. Later when trained and refined the spirit profoundly affected American history. In 1832 Jackson crushed the South Carolina nullification like an eggshell. It had been said that the President had his eye on the nullifiers, and McMaster says: "He did indeed have his eye on the nullifiers." History of the People of the United States by John Bach McMaster (1906), Vol. 6, p. 157. He sent troops, artillery, and General Scott to South Carolina, and declared he would hang Calhoun. He issued a proclamation: "I consider the power to annul a law of the United States incompatible with the existence of the Union, contradicted expressly by the letter of the Constitution, and destructive of the great objects for which it was formed. To say that any State may at pleasure secede from the Union is to say that the United States are not a nation." *Id.*, p. 157. No wonder that near the close of Buchanan's administration it was exclaimed: "Oh, for one hour of Jackson!"

p. 113, n. 5: This subject of the Mountain Whites is more fully considered on page 316 *supra*.

p. 113, n. 6: Essentials of Americanization by Emory S. Bogardus (1919), pp. 121 and 124. John Quincy Adams wrote in his Diary in 1837: "because Louisiana had once been a French colony, Napoleon undertakes to recover it, and to settle there a military colony of his veteran soldiers — having a triangular view for futurity upon Mexico, upon Canada and the British northern Colonies, and upon the United States." Diary of John Quincy Adams, edited by Allan Nevins (1928), p. 480.

p. 114, n. 1: George the Third and Charles Fox by Sir George Otto Trevelyan (1914), Vol. II, p. 20.

p. 114, n. 2: See American Social History as recorded by British Travellers, edited by Allan Nevins (1923): Chapter on The War-Torn South by David Macrae, p. 472.

p. 114, n. 3: American Revolution by John Fiske (1901), Vol. 2, pp. 200, 201.

p. 114, n. 4: Readings in the Economic History of American Agriculture, edited by Louis B. Schmidt and Earle D. Ross (1925): The Colonial Frontier by Frederick J. Turner, p. 122.

p. 115, n. 1: The North American Idea by James A. MacDonald (1917), pp. 109, 110.

p. 115, n. 2: George Ticknor Curtis, an accomplished lawyer and writer, in his Life of Daniel Webster (1870), Vol. 1, pp. 443, 444, says that Calhoun "had reason to be alarmed. It became known that General Jackson had used, in private, very strong language in regard to the leaders in the South Carolina movement. In periods and scenes of excitement, he had not always been willing to wait for the due course of law, and his temperament was well understood to be one that might suddenly visit the leaders of nullification with extreme personal danger. He had received great provocation; for, on the 11th of January, a series of resolutions, adopted by the Legislature of South Carolina in answer to his proclamation, had been laid before the Senate of the United States, bitterly denouncing him, and breathing a spirit of open defiance. His resentments were never slow to kindle, and, on this occasion, he took no pains to conceal them." In plain language Jackson said that he was going to hang Calhoun and Calhoun knew the man he was dealing with.

p. 115, n. 3: Life and Times of Lewis Cass by W. L. G. Smith (1856), pp. 269, 270.

p. 115, n. 4: Peck says (The Jacksonian Epoch — 1899 — p. 196, note 1): "The legislatures of Virginia, Mississippi, Alabama, and North Carolina declared against the doctrine of nullification. The Virginia legislature sent Leigh as a commissioner to counsel moderation, and he accordingly addressed the South Carolina legislature. Cass, Secretary of War, at once ordered troops to Charleston. — Smith's *Cass*, pp. 269, 274." Henry Clay in a speech in the Senate in 1832 said: "From one end to the other of this continent, by acclamation, as it were, nullification has been put down in a manner more effectual than by a thousand armies: by the irresistible force, by the mighty influence of public opinion. Not a voice beyond the single State of South Carolina has been heard in favor of nullification, which she has asserted by her ordinance; and I will say that she must fail in her lawsuit." Quoted in The Jacksonian Epoch by Charles H. Peck (1899), p. 205. Peck thinks, however, that "had the existing tariff system been maintained intact, and force successfully exerted to prevent the secession of South Carolina, the result could have been but temporary. The underlying motives that prompted the action of that State were quite as powerful in all the Southern States. Discontent pervaded the South, and

but little would have been required to rally the entire section to the aid of South Carolina, which would have been moved to new efforts by the terrible incentives of humiliation and revenge." *Id.*, 213. This is extremely improbable. Jackson was there and Jackson was intrepid and relentless in a fight. It is said that in his later years he thought the American people would never forgive him for not hanging Calhoun.

p. 116, n. 1: The Spirit of America by Henry van Dyke (1910): The Soul of a People (Conference I), p. 22. Halsey says of the Scotch-Irish: "As a class, they were the equal of any emigrants who in those times sailed out of English harbors. To that Scotch-Irish emigration America owed General Henry Knox, John Stark, Anthony Wayne, John Sullivan, and George, James, and DeWitt Clinton. From the same stock were descended Patrick Henry and Daniel Boone, and so were Andrew Jackson, James K. Polk, Hugh McCulloch, and Horace Greeley." The Old New York Frontier by Francis Whiting Halsey (1901), p. 119.

p. 116, n. 2: I am not a military expert but I have never been able to see wherein General Lee is to be classed among the great generals of history. Twice he invaded the North and twice was repulsed or defeated and retreated. He lost his driving power in Stonewall Jackson. During three years he built great fortifications around Richmond and successively defeated incompetent Union generals. He finally encountered a competent general, Grant, and went down. Unlike Alexander, Hannibal, Caesar, and Napoleon, he could not make much from little. For a recent discussion of the subject see two articles in Current History for October, 1928, one by Captain Elbridge Colby and the other by Douglas S. Freeman.

But General Lee was a wonderful character. His spirit inspired the South after the Civil War. The young particularly were shown a future. Aside from his taking up the sword in behalf of a wrong cause, he was and is the Lincoln of the South, and the North considers him one of the greatest of Americans. His memory goes far towards a unified country.

Nor should the intrepidity of the Southern soldiers be forgotten. They were equal to their Revolutionary forbears. They proved that the American stock had not degenerated. Half-starved they fought on until overwhelmed. That is why the "Johnny Rebs" were and are respected and admired by the North and the whole world.

p. 116, n. 3: See The Scotch-Irish in America by Henry J. Ford (1915), p. 575.

p. 118, n. 1: American Revolution by John Fiske (1901), Vol. 1, p. 236.

p. 119, n. 1: In George Croghan and the Westward Movement, 1741–1782 by Albert T. Volwiler (1926), pp. 242, 243 the following is found: "Croghan

was also interested in lands on the frontier in New York. The land policy of this colony offered great contrasts to the excellent land policy of Pennsylvania. The latter served the welfare of the pioneer settler, while the former served the interests of the land speculator and the great landowner. The great landowners of New York usually aimed to build up vast, semi-feudal estates; they offered settlers leases instead of titles in fee simple and planned to exploit their labor. This system was in part inherited by the English from the patroon system of the Dutch. It was at its height during the period from 1690 to 1710; throughout the remainder of the colonial period efforts were made to throw off the control of the great landowners, but with discouraging results. The land system of New York was intrically interwoven with politics. The great landowners through their membership in the provincial council and through their influence with the governor and the assembly were able to control the granting of lands. Large grants of from 10,000 to 200,000 acres were frequently made to members of the council or to their friends. Among the estates built up in this manner were those of the Schuylers, the Livingstons, and the Johnsons. All vacant lands in New York belonged to the crown, but in granting them it had to make use of local provincial officials. The few loyal officials like Colden were unable to check the prodigal waste of the crown's resources. Thus New York was handicapped in her competition with New England, Pennsylvania, and New Jersey for settlers. As a result of her land system and of the necessity until 1763 to avoid offending the Iroquois, New York lacked expansive power. This it did not acquire until the American Revolution broke the power of the Iroquois and overthrew the landed oligarchy. When this was done, especially after the Erie Canal was opened, New York City supplanted Philadelphia as the metropolis of the American Continent, and New York took its place among the leading states of the union."

p. 119, n. 2: "The patroon system was from the beginning doomed to failure. As we study the old documents we find a sullen tenantry, an obsequious and careworn agent, a dissatisfied patroon, an impatient company, a bewildered government — and all this in a new and promising country where the natives were friendly, the transportation easy, the land fertile, the conditions favorable to that conservation of human happiness which is and should be the aim of civilization. The reason for the discontent which prevailed is not far to seek, and all classes were responsible for it, for they combined in planting an anachronistic feudalism in a new country, which was dedicated by its very physical conditions to liberty and democracy. The settlers came from a nation which had battled through long years in the cause of freedom. They found themselves in a colony adjoining those

of Englishmen who had braved the perils of the wilderness to establish the same principles of liberty and democracy. No sane mind could have expected the Dutch colonists to return without protest to a medieval system of government. When the English took possession of New Netherland in 1664, the old patroonships were confirmed as manorial grants from England. As time went on, many new manors were erected until, when the province was finally added to England in 1674, 'the Lords of the Manor' along the Hudson had taken on the proportions of a landed aristocracy. On the lower reaches of the river lay the Van Cortlandt and Philipse Manors the first containing 85,000 acres. . . . In 1685 Robert Livingston was granted by Governor Dongan a patent of a tract halfway between New York and Rensselaerswyck, across the river from the Catskills and covering many thousand acres." Dutch and English on the Hudson by Maud W. Goodwin (1919), pp. 46–48, being vol. 7 of Chronicles of America. Finally New York State in its Constitution of 1846 prescribed as follows:

"Article 1: § 12: All feudal tenures of every description, with all their incidents, are declared to be abolished, saving however, all rents and services certain which at any time heretofore have been lawfully created or reserved. . . .

"§ 14: No lease or grant of agricultural land, for a longer period than twelve years, hereafter made, in which shall be reserved any rent or service of any kind, shall be valid."

p. 120, n. 1: History of the English Colonies in America by Henry Cabot Lodge (1881), pp. 329, 330.

p. 120, n. 2: William Smith in his History of the New York Province to 1732, published in 1757 (see Readings in American History, edited by James Alton James — 1914), says, that in that year (68 years after England took possession) the inhabitants of New York were "mostly descended from the original Dutch planters" (p. 106), although (p. 110) there was not "after the surrender, any foreign accession from the Netherlands," but "that the sheriffs find it difficult to obtain persons sufficiently acquainted with the English tongue, to serve as jurors in the Courts of Law" (p. 111).

p. 120, n. 3: Morison says: "New York State was not homogeneous in 1790, and was never destined to attain homogeneity. Founded by the United New Netherland Company as a trading station in 1614, the Dutch, Flemish, and Walloon settlers were already outnumbered by English when the Duke of York seized the colony in 1664. In 1790 the old 'Knickerbocker' families shared a social ascendancy with the descendants of English and Huguenot merchants; there were many villages where Dutch was still spoken; and Albany was still thoroughly Dutch, ruled by mynheers who

lived in substantial brick houses with stepped gables. But the Netherlandish element comprised only one-sixth of the three hundred thousand inhabitants of New York State. For the rest, there were Germans in the Mohawk Valley and Ulster County; a few families of Sephardic Jews at New York City; an appreciable element of Scots and Irishmen, and a strong majority of English, among whom the Yankee element was fast increasing. The Episcopal Church had been disestablished in the Revolution, but, with the exception of the Dutch Reformed, was the only church to which a gentleman could belong." Oxford History of the United States by S. E. Morison (1927), Vol. 1, pp. 16, 17.

p. 120, n. 4: History of the Norwegian People in America by Olaf Morgan Norlie (1925), p. 80.

p. 120, n. 5: A History of American Immigration (1820–1924) by George M. Stephenson (1926), p. 55.

p. 120, n. 6: Our Foreigners by Samuel P. Orth (1920), p. 153, being vol. 35 of Chronicles of America.

p. 121, n. 1: Dutch Republic by John L. Motley, Netherlands Edition (1900), Vol. 5, pp. 115–117.

p. 122, n. 1: Famous Nations (1881), Vol. 9, p. 379.

p. 122, n. 2: See The Puritan in Holland, England and America by Douglas Campbell (1892), Vol. 2, p. 357.

p. 122, n. 3: History of the American Civil War by John William Draper (1867–1870), Vol. 1, p. 173.

p. 122, n. 4: Dutch and Quaker Colonies by John Fiske (1901), Vol. 2, p. 415. Bryant in his history says of New York, "its customs long remained those which its first settlers had brought with them out of the Dutch fatherland. Its architecture, most of its local names, and even its more common speech, were Dutch. Its domestic and social life were regulated by the customs of Holland. If it was simple and somewhat heavy, it was at the same time healthy, virtuous, and full of kindliness and hospitality. If the stout burghers moved slowly, thought only of the practical side of things, and went to bed at nine o'clock, they also worked steadily, governed their households wisely, and persecuted nobody. If they introduced for a brief period into their new home the law they brought from Holland, of the greater burgher-right and the lesser burgher-right, those who received the former were worthy of the dignity, and those who were confined to the latter valued their citizenship and educated their children none the less carefully. The town that now occupied the lower end of Manhattan Island, with its substantial brick houses and its clean streets, had been their work. It is worth while to recall what kind of a city they left to their successors as

the nucleus of a metropolis." Popular History of the U. S. by William Cullen Bryant and Sydney Howard Gay (1878), Vol. II, p. 338.

p. 123, n. 1: British-American Relations by James D. Whelpley (1924), pp. 149, 150.

p. 124, n. 1: The United States as a Neighbour from a Canadian Point of View by Sir Robert Falconer (1925), pp. 8, 9.

p. 125, n. 1: These United States, edited by Ernest Gruening (1924): Louisiana by Basil Thompson, pp. 205, 206.

p. 125, n. 2: Studies in the South and West with comments on Canada by Charles Dudley Warner (1889), p. 76. He also says of the Acadians: "History makes their departure from the comparatively bleak meadows of Grand Pré a cruel hardship, if a political necessity. But they made a very fortunate exchange. Nowhere else on the continent could they so well have preserved their primitive habits, or found climate and soil so suited to their humor." *Id.*, p. 89.

p. 126, n. 1: The Winning of the West by Theodore Roosevelt, Dakota Edition (1908), Vol. 3, p. 34.

p. 126, n. 2: The United States and Canada by George M. Wrong (1921), p. 33.

p. 127, n. 1: History of the United States by George Bancroft, 25th ed. (1834–1862), Vol. 2, ch. 13, pp. 179, 180.

p. 127, n. 2: *Id.*, Vol. 2, ch. 13, p. 177.

p. 127, n. 3: America and French Culture 1750–1848 by Howard M. Jones (1927), p. 102.

p. 127, n. 4: See French Blood in America by Lucian J. Fosdick (1906), p. 224.

p. 128, n. 1: The Huguenots of Colonial South Carolina by Arthur H. Hirsch (1928), p. 262.

p. 128, n. 2: *Id.*, p. 264. Jones speaking of the French Huguenots during the Revolutionary War says of the Continental Congress: "John Jay, Henry Laurens, and Elias Boudinot were at various times presidents of that body. When the Treaty of Paris was signed, Jay and Laurens attached their signatures; and the third, as president of Congress, signed the congressional ratification of the treaty. The first treasurer of the United States, Michael Hilligas, was a Huguenot, and so was Boudinot, the director of the Mint in 1795. Marion and Pickens and the Huger brothers were soldiers of fame; and Manigault as a financier, was hardly less important than Morris. John Devier, the Le Conte family, Paul Revere, the Ravenel's, the Dana's, the Tourgee's, the Soule's, the Delano's, the Sigourney's, the Trevezant's, the Lamar's, the Crittenden's — all are important in American

development, not to speak of the merchant families." America and French Culture 1750–1848 by Howard M. Jones (1927), p. 103.

p. 128, n. 3: The Huguenots of Colonial South Carolina, *supra*, p. 231.

p. 128, n. 4: History of the United States by Richard Hildreth (1848–1852), Vol. 2, p. 223.

p. 128, n. 5: Selective Immigration by James J. Davis (1925), p. 21.

p. 129, n. 1: French Colonists and Exiles in the United States by J. G. Rosengarten (1907), Introduction, pp. 11, 12.

p. 129, n. 2: America and French Culture 1750–1848 by Howard M. Jones (1927), p. 163.

p. 129, n. 3: See French Blood in America by Lucian J. Fosdick (1906), p. 431.

p. 130, n. 1: Century Illustrated Monthly Magazine, Vol. XLII; New Series Vol. XX, Sept. 1891, p. 694.

p. 130, n. 2: The Early American Spirit and the Genesis of It by Richard S. Storrs (1878), pp. 50, 51.

p. 130, n. 3: History of the Expedition of Captains Lewis and Clark (1917, reprint of edition of 1814), Vol. 1, p. 159.

p. 131, n. 1: Understanding America by Langdon Mitchell (1927), p. 73.

p. 131, n. 2: On December 18, 1777, Franklin, Deane and Lee (representatives in France of the United States) wrote the French Government of their interview with that Government on December 12, at which interview the French Ministry said the French King did not "pretend that he acted wholly for our Sakes, since besides his real Goodwill to us and our Cause, it was manifestly the Interest of France that the Power of England should be diminished by our Separation from it." See The United States and France — Some Opinions on International Gratitude: Selected by James Brown Scott (1926), p. xx; also The American Secretaries of State and their Diplomacy by Samuel F. Bemis (1927), vol. I, p. 16 of Introduction by James Brown Scott. Pickering, as Secretary of State, wrote in 1796 that France in our war of independence did what she did "to advance her own interest and secure her own safety." *Id.*, Vol. 2, p. 205. Professor Corwin of Princeton says of Vergennes: "'The French are interested in separating us from Great Britain . . . but it is not their interest that we should become a great and formidable people.' The words are Jays, but Vergennes himself had said as much time and again." French Policy and the American Alliance of 1778 by Edward S. Corwin (1916), pp. 349, 350. Professor Corwin demonstrates that the French government aided the American Colonies, not from sentiment, but to weaken England. While Perkins says (France in the Revolutionary War — 1911 — p. 236), "In all these long

diplomatic papers we find no discussion of wrongs suffered by the American colonists, of rights to be protected, or liberties to be assured. Vergennes thought that France should interfere in behalf of the colonies because thereby she could humble a rival and avenge past defeats," yet Perkins says (p. 218), "Wearied with artificial modes of life, French aristocrats discovered what they believed to be their ideals among the American folk; they were charmed by the simple, earnest life of New England farmers, and discovered the virtues of Roman worthies in American statesmen. The continental Congress seemed the image of the Roman Senate, and its cause the cause of progress and liberty. The first cannon fired in the New World to defend the standard of liberty, says Ségur, resounded in all Europe." And again (p. 236), "Among the French people, the desire to assist the colonists in their struggle for independence was as unselfish as it was universal. The Americans loomed up before enthusiastic French eyes as heroes possessing the virtues of antiquity, and struggling for the freedom which had been dear to patriots of old. The subjects of an absolute monarchy sang the praises of liberty, and were enthusiastic for the success of its cause across the ocean. The popular feeling was strong and generous, based upon no selfish considerations of state, but upon genuine sympathy for fellow men." This book, however, has a decided pro-French flavor, and is to be read with caution.

p. 132, n. 1: Merlant, a French writer, says, "Whether La Fayette was responsible for the decision of the French Ministry or not, is a question rather difficult to solve. . . . The decision was made in February. It was decided that La Fayette should depart in advance; on March 10th he went on board the Hermione." Soldiers and Sailors of France in the American War for Independence by Capt. Joachim Merlant (1920), p. 103. Sedgwick says of La Fayette in France in 1779 that he was "very busy in urging Vergennes to send several thousand French troops to America. This was the beginning of the plan that led to the famous expedition of Rochambeau. . . . After the invasion of England had been definitely abandoned, this new plan stepped into the forefront of possibilities, as both practicable and expedient. La Fayette, full of self-reliance, and knowing the high value of his familiarity with the American army, the people and their ways, believed that he was the best man to command the expeditionary force, and said so with frankness and persistence, and yet he says to Vergennes (July, 1779): 'I suppose I shall be thought too young for this command, but I shall certainly be employed in it.' . . . The whole matter of an expeditionary force was exceedingly delicate, as the Americans were very jealous of the presence of foreign troops, and particularly of French troops, so much so that La Fayette had been enjoined not to ask for any; but so convinced had

he become of the necessity of French military aid that he took upon himself, on his own responsibility to urge it. . . . It was in accordance with his advice that the very sensible instructions were given to Rochambeau, that he was to be subject while in America to the orders of General Washington, and that the French, as auxiliaries, should always yield precedence to American troops. He sailed on March 14, 1780, and arrived at Boston on April twenty-eighth." La Fayette by Henry Dwight Sedgwick (1928), pp. 113–115.

p. 132, n. 2: Vergennes, the French minister, proposed that "The United States should be bounded on the west by the Chattahoochee, the mountains, and a line midway through the present State of Ohio. All west of this line and north of the Ohio River was to be left with England. What is now comprised in Kentucky, in Tennessee, in Alabama, and Mississippi, north of thirty-one degrees, was to be Indian Territory under the protection of Spain and the United States. Widely as these two propositions differed, in some respects they agreed entirely in this: that the United States should own no territory beyond the mountains. But the American Commissioners, determined that she should, broke through their instructions, and, without the knowledge of France, signed the preliminary treaty of peace in November, 1782. When the treaty, duly signed and sealed, was laid before the French Minister, he was astonished and deeply mortified. He stormed, he raged, he bitterly reproached Franklin and his associates for the course they had taken." With the Fathers by John Bach McMaster (1908), pp. 290, 291.

p. 132, n. 3: History of U. S. by Richard Hildreth (1848–1852), Vol. 1 (2nd Series), pp. 416–440.

p. 132, n. 4: The Revolutionary Spirit in France and America by Bernard Fay, Translated by Ramon Guthrie (1927), p. 330.

p. 132, n. 5: History of U. S. by Richard Hildreth (1848–1852), Vol. 1 (2nd Series), p. 441.

p. 132, n. 6: *Id.*, Vol. 2 (2nd Series), p. 221. The French are hardly to be held responsible for the disgraceful X Y Z negotiations in 1797 when Talleyrand demanded a bribe of about $222,000 from the American Ambassadors, Marshall, Gerry, and Pinckney, before he would agree to a treaty. Napoleon once said that Talleyrand was a silk stocking full of mud. Talleyrand in turn said that Napoleon had no breeding. Both were correct. Yet Talleyrand was an extraordinarily successful negotiator. After Napoleon had ruined France, Talleyrand saved it in the Treaty of Vienna in 1815 after Napoleon fell. The old scamp would say "Above all, gentlemen, no heat." Fitzhugh Green of the United States Navy in his book on Our

Naval Heritage (1925) writes (pp. 130, 131), "By 1797 hostilities had unofficially begun and more than 308 American vessels were reported captured in twelve months by French cruisers. In 1798 French privateers began making captures inside the unprotected waters of American harbors. . . . For two years and a half War with France went on. It went on chiefly in the West Indies; and it was, strange to say, never formally declared."

p. 132, n. 7: American Secretaries of State by Samuel F. Bemis (1927): Article on Timothy Pickering by Henry J. Ford, Vol. 2, pp. 232, 233. History of U. S. by Richard Hildreth (1848–1852), Vol. 2 (2nd Series), p. 213.

p. 132, n. 8: Hildreth *supra*, pp. 270, 304, 399.

p. 132, n. 9: Hildreth *supra*, pp. 240, 241. In connection with this threatened war with France in 1798 the following "To your tents, O Israel" was published in the Philadelphia Gazette, calling for volunteers (See Readings in American History, edited by James Alton James — 1914 — pp. 242, 243):

"General Washington Commands!
"Hark! The Drum Beats to Arms!

"But to those youthful heroes who have never seen the world or heard the inspiring heart cheering sound of the drum and trumpet, he begs leave to address a few words. Your country, my boys is threatened with invasion! Your houses and farms with fire, plunder and pillage. . . . To arms then, my dear brave boys! leave your lonesome cottages and repair to the drum-head at New Brunswick where you will find me and my Comrades (all true sons of thunder) drinking bowls of cool grog, to the health and honour of Congress and our noble President. You shall there receive a handsome bounty with five dollars a month (until promoted) an elegant suit of clothes, draw daily rations that might tempt an epicure, and be treated with kindness and attention by your loving friend and well-wisher.

James Hamilton,
Recruiting Sergeant."

Another call was that of the master ship builder, Enos Briggs, at Salem, Mass.:

"To Sons of Freedom! All true lovers of Liberty of your Country! Step forth and give your assistance in building the frigate to oppose French insolence and piracy. Let every man in possession of a white oak tree be ambitious to be foremost in hurrying down the timber to Salem where the noble structure is to be fabricated to maintain your rights upon the seas and make the name of America respected among the nations of the world. Your largest and longest trees are wanted, and the arms of them for knees and rising timber. Four trees are wanted for the keel which altogether will

measure 146 feet in length and hew sixteen inches square." Quoted in The Fight for a Free Sea by Ralph D. Paine (1920), pp. 152, 153, being Vol. 17 of Chronicles of America.

One more. A hand-bill was distributed through London, England, in July, 1775 (it will be noticed this was after the battle of Lexington and before the Declaration of Independence), reading — "All gentlemen volunteers, natives of Great Britain, friends to the liberty of America, who are willing to serve their sovereign by saving their country, and to succor and support their injured brethren, inhabitants and possessors of the great Western hemisphere, suffering by the murderous orders of an unoffended but implacable man, have now the singular honor paid them of being solicited to stand forward in a cause, where their own character, their conscience, and even their interests should urge them to the most conspicuous exertions. Let all such, of all sizes from three feet nine to six feet three, and the shorter the better, who can feel no wounds but the wounds of the constitution, who bleed already at every pore for the distresses of the oppressed Americans, whose lungs are panting for the fame they are going to enjoy by relieving them, whose hearts lie in the right places, and are ready to burst within their breasts, for want of vent to the vengeance they wish to take. Let all such repair to the Castle and Falcon Inn, Aldergate street, where they will be honorably entertained by Lieutenant-General Jedediah Bastwick, and may enter into present pay and quarters. Entrance money, fifty acres of land in the Allegheny Mountains, or their value payable at the Royal Exchange. Bringers will be proportionally rewarded. No persons well and alive will be refused. A fine fifty gun ship lies ready at the Nore, to waft the brave adventurers in military heroism to the real scenes of action in America, to the scenes of glory, victory, and triumph. Now is your time for making your fortunes. Who is there afflicted whom I will not relieve? The ends of the world are come upon us, and we shall soon possess them for our own. The completion of the scripture is at hand. 'Come unto me, all ye that are heavy laden, and I will relieve you.' Your armor is but light. A rifle barrel, or a tomahawk, is all you have to bear; and you have now your choice of joining with myriads of brave partakers in the same glorious warfare, by entering into one of the following regiments: Ticonderoga Pioneers, Schenectady Scalpers, Mohawks, Missalago Hatchetmen, Ohio Scouts, Massachusetts Minute Men, Scarondarona Split Shirts, Lake Champlain Pikes, Lake Ontario Jacks, Concord Riflemen, or the General's own Regiment of Allegheny Mountaineers. GOD SAVE AMERICA!" Quoted in Diary of the American Revolution by Frank Moore (1859), Vol. 1, pp. 132, 133.

This is explained perhaps by the letter the Continental Congress sent to the Lord Mayor of London on July 8, 1775, which contained the following: "My Lord,

Permit the Delegates of the people of twelve Antient Colonies, to pay your Lordship and the August body of which you are head a just tribute of gratitude and thanks for the virtuous and unsolicited resentment you have shown to the violated rights of a free people. The City of London my Lord, having in all ages approved itself the patron of liberty and the support of just government, against lawless tyranny & usurpation; cannot fail to make us deeply sensible of the mighty aid our cause receives from such advocation. A cause my Lord worthy the support of the first City in the world, as it involves the fate of a great Continent, and bids fair to shake the foundations of a flourishing, and until lately, a happy empire." Printed more fully in The Letters of Richard Henry Lee, edited by James Curtis Ballagh (1911), pp. 141, 142.

p. 133, n. 1: History of U. S. by Henry Adams (1889–1917), Vol. 1, p. 362.

p. 133, n. 2: *Id.*, Vol. 5, p. 243. McMaster says the value was $10,000,000. History of the People of U. S. by John B. McMaster (1883–1913), Vol. 3, p. 367.

p. 133, n. 3: History of U. S. by Richard Hildreth (1848–1852), Vol. 3 (2nd Series), p. 215.

p. 133, n. 4: The episode is found in John B. McMaster's History of the United States (1883–1913), Vol. 6, Ch. 60, pp. 236–241, and Ch. 62, pp. 299–303. In a book published in 1837 (The Americans in their Moral, Social and Political Relations by Francis J. Grund) the following is found (Vol. I, p. 125): "Before the late amicable adjustment of the difficulties with France, a caricature was published in America, representing General Jackson shaking his cane at the King of the French, while in his left hand he was holding a bag of money, bearing the inscription '25,000,000 Francs'; with the words to his mouth ''Tis well that you paid me, or by the Eternal ——' to which the king was represented bowing and waving his hands with the words 'Not another word of *apology*, my dear General, I beg you.' It would perhaps be difficult to make a better comment on the conduct of either of these distinguished individuals than is contained in that print."

p. 133, n. 5: American Opinion of France by Elizabeth B. White (1927), pp. 95, 96; also The Jacksonian Epoch by Charles H. Peck (1899), p. 248.

p. 134, n. 1: George III and the American Revolution by Frank Arthur Mumby (1923), p. 373. The book The United States and France — Some Opinions on International Gratitude — Selected by James Brown Scott (1926), p. 103, says that "Grahame, who personally knew Lafayette, says

in his history, 'Lafayette assured me that, very shortly after his first arrival in America, he clearly perceived that the Americans, *even though wholly unassisted in the strike with Great Britain*, would never lay down their arms until they achieved their independence; and this impression was confirmed by all his subsequent experience.'"

Edmund Burke in a letter written December 9, 1777, said: "The [British] minister for America himself begins at length to see it in its true light, and has explicitly declared that, if it *could* [italics his] be conquered and reduced to obedience against the will of its inhabitants, the attempt to hold it under such circumstances would be ruinous to this country, and that we had much better be rid of it. I was always of that opinion, and most heartily wished that we could have seen this most evident truth by its own light, and not have been driven to grope our way to it through so much expense of blood and treasure, — through so many calamities and disgraces." Correspondence of The Right Honourable Edmund Burke, edited by Earl Fitzwilliam and Sir Richard Bourke (1844), Vol. II, p. 202. John Quincy Adams, while Minister of the United States to Holland, wrote in 1797: "The American people carried on for three years their struggle against Great Britain alone, and they were the three most trying and most dangerous years of the war. At the time when they solemnly declared their independence, when their Representatives in Congress pledged their lives, their fortunes, and their sacred honor in its support, France was so far from giving them any assistance, that the policy of her government was coolly settled to be, that the Americans should be compelled to return to subjection. Does the Directory think that the Americans have never seen the secret memorial of Mr. Turgot, from which this fact is established indisputably?" He also says relative to the treaty of February 6, 1778, by which France aided America: "The date of that treaty, more than nineteen months after the Americans had declared their independence, sufficiently shows that we never did depend upon France for our liberty. It was not until the Americans had proved, by compelling a British army of ten thousand men to surrender as prisoners of war, their ability to maintain their cause alone, that the *speculation* at the French Court changed its views, and they espoused a cause at the moment when they became convinced that it would sooner or later prevail, whether they espoused it or not." He also says: "The memorial of Mr. Turgot, which I mentioned to you in my last letter, is dated April, 1776, and serves as a key to the policy of France at that time. It shows at the same time Turgot's opinion, that the Americans would prevail in their contest without *the assistance of France*." He also refers to the declaration of Vergennes and Montmorin "'that it did not suit France to

give the United States the degree of vigor of which they were susceptible, because they would thereby acquire a strength *of which they would probably be tempted to make a bad use.*'" Writings of John Quincy Adams, edited by Worthington C. Ford (1913), Vol. 2, pp. 71, 72, 98, 100. The Cambridge Modern History by Lord Acton (an English work — 1903) says (Vol. VII, Ch. VII on The War of Independence by John A. Doyle, p. 234), "Finally, apart from all these military difficulties, one may doubt whether, even if the British arms had been successful, there were not political hindrances to effective and permanent control of the colonies more insuperable still. For a while at least government would have had to take the form of armed occupation, and it is not likely that armed occupation would ever have passed into peaceful civil administration, loyally accepted by the colonists. Almost from the hour of their foundation the colonies had been developing not only political methods but political ideals different from those of the mother-country. The material interests which bound them to Great Britain were real, but they were too indirect and remote to appeal readily to ordinary men. The tie of sentiment was actually weakened by the necessary closeness of administrative relations. The vague reverence of the medieval ecclesiastic for the grandeur of Rome failed as he was brought face to face with the intrigues and corruptions of the papal Court. Not dissimilar were the feelings of the colonist who like Franklin was driven to contrast the vast responsibilities of the British government with the sordid realities of parliamentary corruption and ministerial intrigue."

p. 134, n. 2: History of U. S. by Henry Adams (1889–1917), Vol. 2, p. 49.

p. 134, n. 3: *Id.*, Vol. 1, p. 399.

p. 134, n. 4: *Id.*, Vol. 1, p. 414.

p. 134, n. 5: But see *Id.*, Vol. 2, p. 24, indicating that England wished America to have Louisiana. McMaster, on the other hand, says that "all England was demanding that Louisiana should be attacked." History of U. S. by John B. McMaster (1883–1913), Vol. 2, p. 634.

p. 134, n. 6: History of U. S. by Henry Adams (1889–1917), Vol. 2, p. 52.

p. 135, n. 1: American Secretaries of State by Samuel F. Bemis: Article on James Madison by Charles E. Hill (1927), 34–36. Old South Leaflets, Vol. 5 (No. 105), pp. 115, 116. Laboulaye, the well-known French writer, states that Napoleon said: "To emancipate the world from the commercial tyranny of England, it is necessary to give her for a counterpoise a maritime power that shall become her rival. Such are the United States. The English aspire to dispose of the wealth of the world. I can be useful to the universe if I can prevent their ruling America as they rule Asia. . . . In ceding Louisiana, I strengthen forever the power of the United States, and

give to England a rival upon the sea, which sooner or later shall abase her pride." Quoted in Retrospections of an Active Life by John Bigelow (1909), Vol. 1, p. 535. And then Bigelow goes on to say: "There is a part, however, of Napoleon's prophecy which was not cited by M. Laboulaye, but one which it becomes the American people, in these days of their prosperity soberly to meditate. 'Perhaps,' said Napoleon, 'some one will object that the Americans may be found too powerful in two or three centuries. My forecast does not embrace such remote perils; besides, one may expect domestic dissensions in the future (*rivalité dans le sein de l'union*). What are called perpetual confederations only last so long as neither of the contracting parties finds an interest in breaking them. It is the present dangers to which the colossal power of England exposes us for which I wish to provide a remedy.' The negotiator designated for the Louisiana negotiation, presumably Marbois, did not reply to this." *Id.*, p. 538.

p. 135, n. 2: History of U. S. by Henry Adams (1889–1917), Vol. 2, pp. 40, 45.

p. 135, n. 3: Lieutenant Commander Fitzhugh Green of the United States Navy in Our Naval Heritage (1925) says (pp. 327, 328, 330) that Admiral Sims found when America entered the World War "that actual defeat of the Allies was a matter of but a few weeks unless the situation materially changed for the better." Sims reported: "Briefly stated, I consider that at the present moment we are losing the war." Green says "Germany was so close to victory that the situation now makes one shudder." Lloyd George, Clemenceau, and Orlando, on June 12, 1918, signed a statement — "there is great danger of the war being lost unless the numerical inferiority of the Allies can be remedied as rapidly as possible by the advent of American troops." Quoted in American Reinforcement in the World War by Thomas G. Frothingham (1927), p. 280.

p. 135, n. 4: See pp. 55, 56 of the Agricultural Problem in the United States, published by the National Industrial Conference Board (1926). See also National City Bank Bulletin, February, 1926. *Cp.* Federal Trade Commission Report (1926), giving somewhat different figures.

p. 137, n. 1: Our Foreigners by Samuel P. Orth (1920), pp. 154, 157, being vol. 35 of Chronicles of America.

p. 138, n. 1: What is America by Edward A. Ross (1919), p. 16.

p. 138, n. 2: The United States by Carl Becker (1920), p. 247.

p. 138, n. 3: The United States as a World Power by Archibald C. Coolidge (1919), p. 53.

p. 139, n. 1: The American Spirit in the Writings of Americans of Foreign Birth, edited by Robert E. Stauffer (1922): Scandinavian Contribution to American Nationality — Reminiscences — by Hans Mattson, p. 60.

p. 139, n. 2: The Different West as Seen by a Transplanted Easterner by Arthur E. Bostwick (1913), p. 163.

p. 139, n. 3: Immigrant Backgrounds, edited by Henry Pratt Fairchild (1927): The Scandinavians by Henry G. Leach, p. 232.

p. 139, n. 4: Widney says: "When Engle and Saxon and Jute crossed the waters of the English Channel to make a new home in Britain, it was the Engle who crossed in the greater numbers; so great indeed that his name disappeared entirely from the older home in the lowlands south of the Baltic. While Saxon and Jute settled in the narrower lands of Essex, Wessex, and Sussex, and in Kent, south of the Thames, the Engle had been colonizing the long line of the Northumbrian shore until from the Cheviot Hills almost to the mouth of the Thames the land was his. Possibly mere excess of numbers alone was the deciding factor as between the three; possibly other factors entered into the problem, facts which are lost in the dimness of early history; certain it is that the Engle became the dominant power, and Saxon and Jute disappeared as separate names and bloods." Race Life of the Aryan Peoples by Joseph P. Widney (1907), Vol. 2, p. 27.

p. 140, n. 1: British Ency., 11th ed. vol. 28, p. 62; vol. 2, pp. 38, 18; vol. 24, p. 264; vol. 8, p. 29. Tilby says, "Among the records that tell us of the life of our ancestors, some of the most important are the sagas of the north, which show us the faith, the rude ideals of that hardy stock which swept the earth, fearless, proud, and barbarous; imbued with the electric spark of courage that could dare the elements and defy the gods; contemptuous of death and its black terror; careless of the world and all within it, save only the last great shame of slavery. . . .

"These were the men who burst like the tempest from their frozen north, and with the Germans, their cousins, ended in one vast avalanche of ruin the older civilisation. Their arms reached Sicily and eastern Europe; some tribes entered Africa and were remembered later only in the legend which pictured a kingdom of white men in the tropics. Their descendants, still untamed, brought destruction on France ere they settled in Normandy; the Danes ravaged all England.

"Their colonies extended far across the ocean. The Faroe Isles, whose inaccessibility and cheerlessness seem to offer footing but to the cormorant and penguin, were seized by the northmen; Iceland, still more inaccessible and still more terribly lonely, was the seat of their most extensive and most advanced settlement.

"But this was not yet enough. They were established in Greenland; if tradition and modern excavations speak true, they were the first European discoverers of America. The whole of the arctic seas were the haunt of

the northmen; there they wandered at will, happy in the rough waters which matched their character so well." The English People Overseas by A. Wyatt Tilby, 2nd ed. (1911), Vol. I, pp. 152, 153.

p. 140, n. 2: Character and Circumstances of Nations by John Bigland (1816), p. 302.

p. 141, n. 1: English Traits, essay on Race, by Ralph Waldo Emerson.

p. 141, n. 2: The Red Man's Continent by Ellsworth Huntington (1919), Vol. 1 Lincoln Edition of Chronicles of America Series, p. 26.

p. 141, n. 3: Essay on Courage by Ralph Waldo Emerson.

p. 142, n. 1: New York Tribune, May 20, 1928. Philip Gibbs says: "On May 21 of last year the whole imagination of the world was thrilled by a boy named Lindbergh who flew across the Atlantic and landed near Paris. He had started in a casual way, light-heartedly, with those sandwiches, now historic, as his only food for that journey across a waste of waters. Europe received him as a messenger of the gods, this simple young American, as modest as he was tall, a fine specimen of the world's best youth. He brought romance on his wings to a world in which most things have been done and all adventures told — until the next. He was the spirit of heroic youth and, surely, the herald of a new age — this Air Age which is to change every aspect of life and break all its old traditions." The Day after Tomorrow by Sir Philip Gibbs (1928), pp. 177, 178.

p. 142, n. 2: Our Foreigners by Samuel P. Orth (1920), p. 159, being Vol. 35 of Chronicles of America Series.

p. 143, n. 1: The Celt and the World by Shane Leslie (1917), p. 83.

p. 144, n. 1: "We must confess to an unusual ethnological interest in the Irish-American. He is among the very few men in the United States who, never losing his individuality, will not coalesce with the heterogeneous national crowd; and even unto the fourth and the fifth generation, he remains in a class by himself — American, indeed, but Irish first. Therein he proves himself the Greek of the modern era. This, of course, is a signal proof of racial individuality, and readers of Anglo-Irish history will not require to be told that the reason why Cromwell sought to exterminate the Irish — as it is written — was solely that they prevented the Anglization of the sister Island, by absorbing and Hibernicizing the English colonies which the Protector sent into the country in the hope that they would assimilate the natives. On the contrary, the natives assimilated the colonists to a point at which these last became *Hiberniores pisis Hibernicis*, more Irish than the Irish themselves, and Oliver was forced to seek more draconic means." Two Sides of the Atlantic — by Hamil Grant (1917), pp. 69, 70.

p. 144, n. 2: The Influence of Puritanism on the Political and Religious Thought of the English by John Stephen Flynn (1920), p. 94.

p. 144, n. 3: Introduction (p. x) to Anglo-Saxon Superiority by Edmond Demolins (1898).

p. 145, n. 1: History of England by William E. H. Lecky (1878), Vol. 2, p. 315.

p. 145, n. 2: The Celt and the World by Shane Leslie (1917), pp. 187, 188.

p. 146, n. 1: The English in Ireland by James A. Froude (1873), Vol. 1, pp. 21–23. J. C. Firth of New Zealand, a fair-minded and friendly critic of America, in his book Our Kin Across the Sea (1888), pp. 202, 208, wrote: "The Irish race, like all of Celtic blood, are endowed with a lively, and indeed, often a brilliant imagination. In their case, except in the North of Ireland, this brilliant quality has never been toned down or sobered by a mixture of Roman, Gothic, Scandinavian, or Teutonic blood, as were the Gallic and British divisions of the Celtic race. . . . Neither the British Empire nor the United States can afford to dispense with men so distinguished by the brilliant imagination, the impulsive energy, the natural politeness and the undaunted courage with which the Irish people are so abundantly endowed." On the other hand, Mommsen, the German historian, in his History of Rome (Vol. 4, book 5, ch. 7, pp. 286, 287 — 1866) summarized his views in the following celebrated passages: "Every page of Celtic history confirms the severe saying of one of the few Romans who had the judgment not to despise the so-called barbarians — that the Celts boldly challenge danger while future, but lose their courage before its presence. In the mighty vortex of the world's history, which inexorably crushes all peoples that are not as hard and as flexible as steel, such a nation could not permanently maintain itself; with reason the Celts of the continent suffered the same fate at the hands of the Romans, as their kinsmen in Ireland suffer down to our own day at the hands of the Saxons — the fate of becoming merged as a leaven of future development in a politically superior nationality. On the eve of parting from this remarkable nation we may be allowed to call attention to the fact, that in the accounts of the ancients as to the Celts on the Loire and Seine we find almost every one of the characteristic traits which we are accustomed to recognize as marking the Irish. Every feature reappears: the laziness in the culture of the fields; the delight in tippling and brawling; the ostentation; . . . the language full of comparisons and hyperboles, of allusions and quaint turns; the droll humour; . . . the hearty delight in singing and reciting the deeds of past ages, and the most decided talent for rhetoric and poetry; the curiosity; . . . the extravagant credulity; . . . the childlike piety, which sees in the priest a father and

asks him for his advice in all things; the unsurpassed fervour of national feeling, and the closeness with which those who are fellow-countrymen cling together almost like one family in opposition to the stranger; the inclination to rise in revolt under the first chance leader that presents himself and to form bands, but at the same time the utter incapacity to preserve a self-reliant courage equally remote from presumption and from pusillanimity, to perceive the right time for waiting and for striking, to attain or even barely to tolerate any organization, any sort of fixed military or political discipline. It is, and remains, at all times and places the same indolent and poetical, irresolute and fervid, inquisitive, credulous, amiable, clever, but — in a political point of view — thoroughly useless nation; and therefore its fate has been always and everywhere the same." Professor Hankins argues that all of these characteristics are found also with other nations at times and with individuals (The Racial Basis of Civilization by Frank H. Hankins — 1926 — pp. 146–148), but he fails to prove that they are not characteristics of the Irish as a race.

p. 146, n. 2: History of United States by Richard Hildreth (1848–1852), Vol. 2, p. 240.

p. 147, n. 1: See The Scotch-Irish in America by Henry J. Ford (1915), p. 204.

p. 147, n. 2: *Id.*, p. 220.

p. 147, n. 3: See Readings in American History, edited by James Alton James (1914): Travels in America by Timothy Dwight, p. 287.

p. 147, n. 4: See The Scotch-Irish in America by Henry J. Ford (1915), pp. 520, 521.

p. 147, n. 5: A Hidden Phase of American History by Michael J. O'Brien (1919), p. 289.

p. 147, n. 6: George the Third and Charles Fox by Sir George Otto Trevelyan (1914), Vol. II, p. 29, quoting from the Administration of the American Revolutionary Army by Louis Clinton Hatch, Ch. 7.

p. 147, n. 7: The Life and Times of John Carroll by Peter Guilday (1922), p. 57. Guilday quoted from an Account of the Condition of the Catholic Religion in the English Colonies of America written in 1763 as follows: In "New England and New York one may find a Catholic here and there. . . . It is claimed in Maryland there must be around sixteen thousand Catholics. . . . The number of Catholics in Pennsylvania is between six and seven thousand. There are besides some Catholics in Virginia. on the confines of Maryland, and in those parts of New Jersey which border on Pennsylvania. . . . As to Carolina and Georgia, it is impossible to say whether there are any Catholics there or not. Florida, . . . few Catholics . . .

are allowed freedom of practicing the Catholic Religion. Louisiana . . . same freedom of worship . . . to Catholic inhabitants, of whom there must be a considerable number." pp. 60, 61. Guilday also quotes from a document, "Relation," dated September 6, 1773, as follows: "The Catholics at that time in Maryland and Pennsylvania numbered about 20,000. In Maryland there was practically complete freedom of worship, but it was more restrained than in Pennsylvania, where the Church was free." p. 63.

p. 148, n. 1: America: Nation or Confusion by Edward R. Lewis (1928), p. 393, quoting from article on the Roman Catholic Church in America by Cardinal Gibbons in Encyclopædia Britannica, 11th ed., vol. 23, p. 499.

p. 148, n. 2: History of the United States by Edward Channing (1918), Vol. 2, p. 427.

p. 148, n. 3: Men, Women and Manners in Colonial Times by Sydney G. Fisher (1898), Vol. 2, p. 218.

p. 149, n. 1: History of England by William E. H. Lecky (1878), Vol. 4, p. 458.

p. 149, n. 2: Historical and Political Essays: Essay on Ireland in the Light of History (1891) by William E. H. Lecky, p. 71 of New Edition, 1910. "A distinction should be made between those Catholics living in Pennsylvania and in the other colonies. In Pennsylvania they enjoyed full religious liberty, though they were not accorded the full enjoyment of the franchise. This distinction explains the presence of loyalism in Pennsylvania Catholic circles, for that State was a centre of American Toryism; whereas everywhere else in the colonies the Revolution won the whole-hearted support of the Catholic body. . . . It is not true, as is generally believed by Catholics, on the assertions of their historians, that there were no Catholic Tories in the colonies during the Revolution." The Life and Times of John Carroll by Peter Guilday (1922), pp. 73, 81. Then the author criticizes Catholic historians who claim that the Catholics "to a man" were Whigs, and proceeds to say, "The truth is that Catholics were as divided as others were." p. 83.

p. 149, n. 3: George III and the American Revolution by Frank Arthur Mumby (1923), p. 221.

p. 149, n. 4: See A Straight Deal or The Ancient Grudge by Owen Wister (1920), p. 259.

p. 150, n. 1: History of the English Colonies in America by Henry Cabot Lodge (1881), p. 228.

p. 150, n. 2: America Comes of Age by André Siegfried (1927), pp. 23, 24.

p. 151, n. 1: The Twentieth Century American by H. Perry Robinson (1908), pp. 254, 255. Professor Hearnshaw (English) says in his Democracy

at the Crossways (1918), p. 169: "The curse of the Irish is simply their lack of balance, their limitation of outlook, their narrow and exclusive egoism."

p. 151, n. 2: What is America by Edward A. Ross (1919), p. 13.

p. 152, n. 1: The Celt and the World by Shane Leslie (1917), pp. 7, 8.

p. 153, n. 1: America Comes of Age by André Siegfried (1927), pp. 262–265.

p. 154, n. 1: Our Foreigners by Samuel P. Orth (1920), pp. 122, 123, being Vol. 35 of Chronicles of America.

p. 154, n. 2: The Celt and the World by Shane Lesli (1917), p. 86.

p. 154, n. 3: Essentials of Americanization by Emory S. Bogardus (1919), pp. 133, 134.

p. 156, n. 1: See New Viewpoints in American History by Arthur M. Schlesinger (1922), p. 5.

p. 156, n. 2: Our Foreigners by Samuel P. Orth (1920), pp. 127, 128, being Vol. 35 of Chronicles of America.

p. 157, n. 1: Races and Immigrants in America by John R. Commons (1908), pp. 67, 68.

p. 158, n. 1: The Old World in the New by Edward A. Ross (1914), p. 47.

p. 158, n. 2: History of the Norwegian People in America by Olaf Morgan Norlie (1925), pp. 82, 83.

p. 159, n. 1: Our Foreigners by Samuel P. Orth (1920), p. 146, being Vol. 35 of Chronicles of America.

p. 159, n. 2: Patriotism — National and International by Sir Charles Waldstein (1917), p. 31.

p. 160, n. 1: It is often claimed that the Semitic race is related to the Indo-European races (See Ency. Brit. 11th ed., vol. 21, p. 426), but this is an error (*Id.*, vol. 9, p. 919). Huxley divided all races into Mongoloid, Negroid, Australioid, Xanthochroic ("fair whites"), and Melanochroic ("dark whites"). The old classification of 1781 of Caucasian, Mongolian, Ethiopian, American, and Malay is discredited (*Id.*, vol. 2, p. 113). The growth of the sciences of anthropology, ethnology, and philology has necessitated new classifications. Aryans speak languages derived from or akin to Sanskrit. The Semitic race speaks languages akin to an ancient language, now mainly Arabic. The Semitic race is of the Melanochroi, mentioned above, modified by mixture with the Mongols, Australioids, and Xanthochroi (*Id.*, vol. 2, pp. 748, 749). In Europe there are three great racial types, more or less intermingled, namely, Nordic, Alpine, and Mediterranean. *Id.*, vol. 9, p. 919. See also note 2 *infra* on p. 749. Parsons, however, says: "It is the theory of most modern anthropologists that the Semitic peoples of the Eastern Mediterranean are all to be classified racially with

'Mediterranean man.' That is to say, they are 'dark whites.' Culturally, however, the Semitic peoples of historic times have been much more closely akin to East than West." The Stream of History by Geoffrey Parsons (1928), p. 306, note.

p. 161, n. 1: Chancellor and Hewes say: "In 1738, Jews were disfranchised in New York, a fact that brings to mind the long history of that enduring race. It builds no nations of its own, but when given freedom, can master any other. In the ethnic sense scarcely a race at all, the Jews, by a natural intuition in all matters of personality, add to their stock choice individuals of every people among whom they dwell. Thus it befalls that the Spanish Jew is a different person from the German Jew or the Russian Jew, but a Jew nevertheless. Wherever he goes, he creates fear because of his ever-present characteristics, — thrift, foresight, persistence, orderly and clean living, singleness of purpose, clannishness, lack of general human sympathy. Even tolerant New York could not altogether tolerate the always successful Jew." The United States: A History of Three Centuries by William Estabrook Chancellor and Fletcher Willis Hewes (1905), Part II, p. 97.

p. 161, n. 2: Quoted in A Short History of Civilization by Lynn Thorndike (1926), p. 58. Jastrow, a Jewish writer, says: "Politically, Palestine never played any notable part either in antiquity or in later days. Its geographical position as the bridge between Asia and Africa, singled it out in early days as a buffer state between the Empire of the Nile and the one which arose in the Euphrates Valley. It also acted often as a bulwark against the advance of hordes from the North — and at times the bulwark was stormed. Palestine has no river that can serve as an avenue of commerce. It is cut up by mountain ranges and valleys which split up the population into separate groups. Even the Jews themselves could not maintain their unity in such a land and soon divided into a northern and a southern Kingdom. As long as the Hebrews enjoyed national independence they made no contributions in the field of art, or in science, in methods of government or in military strategy. When Solomon planned to build the Temple he had to send to Phoenicia for architects and builders. There did not rise in Palestine any specific Jewish architecture. The Temple was patterned after the religious structures of Phoenicia and Babylonia. In literature, as has just been pointed out, the Hebrews made no original contributions of any moment until after the creation of the new type of religion which, be it noted once more, made its appearance as the national life was passing away. . . . One scans the pages of the Old Testament in vain for great political leaders, with the exception of Moses of whom much that is told is legendary, and of David

of whom much that is told is not edifying." Zionism and the Future of Palestine by Morris Jastrow, Jr. (1919), pp. 90–93.

p. 161, n. 3: The Jews by Maurice Fishberg (1911), p. 490.

p. 161, n. 4: See Our Democracy, Its Origins and Its Tasks by James H. Tufts (1917), pp. 14, 15.

p. 162, n. 1: A History of the Jewish People by Max L. Margolis and Alexander Marx (1927), p. 201. See also Stranger Than Fiction by Lewis Browne (1925), p. 152.

p. 162, n. 2: The Legacy of Israel, edited by Edwyn R. Bevan and Charles Singer (1927): Essay by George Adam Smith on The Hebrew Genius in the Old Testament, p. 9.

p. 162, n. 3: *Id.*, Essay on The Influence of the Old Testament on Puritanism by Rev. W. B. Selbie, pp. 407–431.

p. 163: n. 1: This part of the address does not appear in The Mind of the President by C. Bascom Slemp (1926), pp. 286–289. On a later occasion President Coolidge said: "From its beginnings, the new continent had seemed destined to be the home of religious tolerance. Those who claimed the right of individual choice for themselves finally had to grant it to others. Beyond that — and this was one of the factors which I think weighed heaviest on the side of unity — the Bible was the one work of literature that was common to all of them. The scriptures were read and studied everywhere. There are many testimonies that their teachings became the most important intellectual and spiritual force for unification. I remember to have read somewhere, I think in the writings of the historian Lecky, the observation that 'Hebraic mortar cemented the foundations of American democracy.' Lecky had in mind this very influence of the Bible in drawing together the feelings and sympathies of the widely scattered communities. All the way from New Hampshire to Georgia, they found a common ground of faith and reliance in the scriptural writings." Foundations of the Republic by Calvin Coolidge (1926): The Spiritual Unification of America, Address at the Laying of the Cornerstone of the Jewish Community Center, Washington, May 3, 1925, pp. 211, 212.

p. 163, n. 2: Guignebert, Professor of the History of Christianity in the University of Paris, says: "It seems as if Christianity would have gained by shaking itself free of the Jewish Law, and some noteworthy Christians, such as Marcion, tried to bring this about; but they did not succeed because early Christian apologetics, by relying constantly upon the reputation of the Biblical text as prophetical, had strengthened the Judeo-Christian veneration for the Book and authenticated its divine character." Christianity, Past and Present by Charles Guignebert (1927), p. 122, note.

p. 163, n. 3: Essays, Moral, Political, and Literary by David Hume (1742–1907 edition), Vol. 1, p. 233.

p. 163, n. 4: Problems of Citizenship by Hayes Baker-Crothers and Ruth Allison Hudnut (1924), pp. 389–396.

p. 164, n. 1: The Jews in America by Burton J. Hendrick (1923), p. 170.

p. 165, n. 1: Our Foreigners by Samuel P. Orth (1920), pp. 178–180, being Vol. 35 of Chronicles of America.

p. 165, n. 2: The Different West — as Seen by a Transplanted Easterner by Arthur E. Bostwick (1913), pp. 156, 157.

p. 166, n. 1: Modern Immigration by Annie M. MacLean (1925), p. 25.

p. 166, n. 2: Problems of Citizenship by Hayes Baker-Crothers and Ruth Allison Hudnut (1924), pp. 107, 108.

p. 166, n. 3: On New Shores by Konrad Bercovici (1925), pp. 264, 265.

p. 168, n. 1: America Comes of Age by André Siegfried (1927), pp. 323–329.

p. 169, n. 1: The Jew and American Ideals by John Spargo (1921), p. 108.

p. 169, n. 2: A History of the United States by Cecil Chesterton (1919), pp. 311–313.

p. 170, n. 1: Races and Immigrants in America by John R. Commons (1908), p. 133.

p. 170, n. 2: Historical and Political Essays: Israel among the Nations (1893) by William E. H. Lecky, p. 112 of New Edition, 1910.

p. 170, n. 3: The Jews by Maurice Fishberg (1911), p. 393.

p. 171, n. 1: The Jews of To-day by Dr. Arthur Ruppin (1913), pp. 48, 49.

p. 171, n. 2: Races of Europe, Lowell Institute Lectures, by William Z. Ripley (1899), p. 373.

p. 171, n. 3: The Jew and American Ideals by John Spargo (1921), pp. 116, 117. Spargo says: "The program of the British Anti-Semites, adapted to American conditions, would involve, as a minimum, the following measures:

"1. Disfranchisement of all Jews whose parents and grandparents were not all native-born American citizens.

"2. Denial of the right to hold legislative or administrative office, either elective or appointive, to all Jews other than those whose parents and grandparents were all born in the United States.

"3. Denial of the right of naturalization to Jews on the ground that they are not assimilable.

"4. Prohibition or very strict limitation of further Jewish immigration.

"5. Exclusion from the legal, medical, and teaching professions of all Jews except those entitled to full citizenship. (See 1 and 2.)

"6. Exclusion of all Jews, except those entitled to full citizenship, from certain economic rights and privileges, including the right to acquire and own land, the right to engage in the sale of stocks, bonds, securities, or real estate, or in banking, money-lending, or insurance.

"7. The right of admission to colleges and universities to be so limited as to admit only a small percentage of Jewish students."

p. 172, n. 1: Dutch and Quaker Colonies by John Fiske (1901), Vol. 2, p. 390.

p. 172, n. 2: See Readings in American History, edited by James Alton James (1914): Travels in America by Timothy Dwight, p. 287.

p. 172, n. 3: The American Spirit (1913): Address on The First Settlement of the Jews in the United States by Oscar S. Straus, p. 281.

p. 172, n. 4: The Jews and Modern Capitalism by Werner Sombart (1911, translated from the German in 1913), pp. 263, 265.

p. 173, n. 1: " . . . a Jew always welcomes an Irishman for the reason that before he has finished with his services, he will have sucked the Hibernian dry, and a certain pro-Hebrew weakness of the untravelled and unsophisticated Irishman is a phenomenon which is, it is well known, exploited by Jews in big American cities, and, indeed, all the world over." Two Sides of the Atlantic — by Hamil Grant (1917), p. 81.

p. 173, n. 2: Goldwin Smith wrote in the Independent, June 21, 1908: "Take any race you please, with any religion you please, but with an intensely tribal spirit; let it wander in pursuit of gain over the countries of other nations, still remaining a people apart, shunning intermarriage, shrinking from social communion, assuming the attitude assumed by the strict and Talmudic Jews toward the Gentiles, plying unpopular, perhaps oppressive, trades, and gleaning the wealth of the country without much adding to it by productive industry; you will surely have trouble. Offense will come. If it takes the form of violence or outrage it will be criminal. But it will come, and it will be the consequence, not of a fiendish disposition on the part of the people of the invaded nations, but of a calamitous situation." See Expansion of Races by Charles Edward Woodruff (1909), p. 382.

p. 174, n. 1: The Jews and Modern Capitalism by Werner Sombart (1911, translated from the German in 1913), pp. 131, 147.

p. 174, n. 2: America Comes of Age by André Siegfried (1927), pp. 26, 27.

p. 174, n. 3: American Secretaries of State and Their Diplomacy, edited by Samuel Flagg Bemis (1928): John Quincy Adams by Dexter Perkins, Vol. 4, p. 89.

p. 175, n. 1: Success Among Nations by Emil Reich (1904), pp. 137, 138.

p. 175, n. 2: Orations of Cicero, translated by C. D. Yonge (1884–1919): Vol. II, Speech in defense of Lucius Flaccus, p. 454.

p. 175, n. 3: The Old World in the New by Edward A. Ross (1914), p. 164.

p. 176, n. 1: Old World Traits Transplanted by Robert E. Park and Herbert A. Miller (1921), p. 306.

p. 176, n. 2: The Citizen by Nathaniel S. Shaler (1904), p. 306.

p. 176, n. 3: America and England by C. R. Enock (1921), p. 195.

p. 176, n. 4: See Conflicts with Oblivion by Wilbur C. Abbott (1924), p. 68.

p. 177, n. 1: The Jews and Modern Capitalism by Werner Sombart (1911, translated from the German in 1913), pp. 269, 270.

p. 178, n. 1: Democracy and Liberty by William E. H. Lecky (1878), Vol. I, p. 464.

p. 178, n. 2: Thomas Carlyle by James A. Froude (1884), Vol. II, pp. 448, 449.

p. 178, n. 3: Bismarck by Emil Ludwig (1927), pp. 320, 436.

p. 178, n. 4: Ludwig says of Bismarck's last days, "For a few hours or weeks, his inborn scepticism is stilled, and he asks himself whether truer and deeper tones may not come from these common people than from his own class, which, when he was in power had envied him, then betrayed him, and in the end overthrown him. During the receptions, the students' drinking parties, and the torchlight processions, which make his progress through South Germany a *via triumphalis*, this intimacy and warmth force him, more and more, to wonder whether it would not have been well to grant more power to such a people. Thus late in the day, and only as the outcome of the injustice he has suffered, does Bismarck realise how he has missed his opportunities. . . . The strong monarchy, of which in the diet and the Reichstag he was continually boasting, was in reality nothing more than an imaginary power, like that British monarchy of which he was so critical; but whereas in Britain the substance, of which monarchy was the shadow, was the people, here in Germany the substance was the chancellor, was Bismarck himself. He knew well enough the trick he was playing upon the people, but he would not allow any outsider to grasp the nature of the relationships between emperor and chancellor in this drama of dictatorship. It was his empire; he alone should issue orders in it. Only thus could his unparalleled self-confidence find satisfaction in the work. This went on until the impossible happened. The kingship, whose strength he had for thirty years proclaimed in his struggle with the representatives of the people, had now, all at once, been incorporated in a new personality. Therewith

it suddenly rebelled, and overthrew its master. Then, for a time, he stood alone, without a ruler and beside the people.

"Now when the people had at length taken his side, old Bismarck was able to recognise the error in his calculations. The very motive of inborn passion which had previously kept him loyal to the monarchy, now, for the same reason, made him take the side of the people. His pride made an extreme concession when, before his fellow countrymen and before Europe, he acknowledged: 'Perhaps I myself have unwittingly contributed to the lowering of the influence of parliament to its present level.'" (pp. 621–623.)

p. 179, n. 1: Curle, an English writer, says: "The Jews are much scattered, but are thought to number twelve millions. Half of these live in Russia and Poland, and are as much Mongol as Hebraic in race. They are notably inferior to the true Hebrew strain, which I single out as the most talented in the world. If we took, at random, six million Europeans, and matched them with the Hebrews, the Jews would be found outmatching the Gentiles in every way by ten to one. That is why jealousy of the Jews has been world-wide, and why massacres and banishments have followed them down the centuries. Jealousy apart, Jews are anti-pathetic to most Europeans. They are often blatant. Their self-assertion is the logical reaction from centuries of debasement; but it offends nevertheless. . . . The Hebrews, of all people, have done their duty by Heredity. They marry carefully. The men are good husbands and fathers; the women are extraordinarily faithful; their children receive devoted care. The family life of Jewry, I rather imagine, has been the best on record. What is the white world going to make of this most talented people? . . . If we can get the Hebraic Jews more and more to blend with the Gentiles, and their dominant strain to stay blended, we enrich our mentality for all time." Our Testing Time by J. H. Curle (1926), pp. 119, 120. Langdon Mitchell, with a poet's idealism, says, "If the mold we call the Hebrew Race can turn out men of a certain Hebraic beauty of countenance not elsewhere to be seen, with gifts not elsewhere to be found, shall we be wise to insist that the Hebrew intermarry with the Bushman of Australia? Should we not rather say, Keep your beautiful mold intact, and produce for the world what the world will and must relish and value, produce, that is, your Paul of Tarsus, your Ben Halévi, your Heine, your Spinoza, your Disraeli, men not in any way like their contemporaries among the races within whose borders they lived, but differing from them, and differing in a way that was of worth to the world, benefited the world. . . . Well, I regard the Jewish race precisely as the prophet Ezra did; that is, as something special, singular, different, inimitable, and as such of great value to the world. In my way of thinking, the

Jewish mold of men, is sacred; let it be preserved in order that the men it duly casts forth, whether prophets like Ezra, or prophets like Spinoza, shall not cease to exist, and illuminate the world. And as I think of the Hebrew, even so do I think of all the races of men, especially and mainly so of those races which have already proved that they can create abundantly and greatly in their own image." Understanding America by Langdon Mitchell (1927), pp. 58, 59.

p. 179, n. 2: See Stranger than Fiction, A Short History of the Jews from Earliest Times to the Present Day by Lewis Browne (1925), p. 240.

p. 179, n. 3: *Id.*, p. 237. Ripley says, "Tradition has long divided the Jewish people into two distinct branches: the Sephardim or southern, and the Ashkenazim, or north European. Mediaeval legend among the Jews themselves traced the descent of the first from the tribe of Judah; the second, from that of Benjamin. The Sephardim are mainly the remnants of the former Spanish and Portuguese Jews. They constitute in their own eyes an aristocracy of the nation. They are found primarily to-day in Africa; in the Balkan states, where they are known as Spagnuoli; less purely in France and Italy. A small colony in London and Amsterdam still holds itself aloof from all communion and intercourse with its brethren. The Ashkenazim branch is numerically far more important, for the German, Russian, and Polish Jews comprise over nine tenths of the people, as we have already seen." Races of Europe, Lowell Institute Lectures, by William Z. Ripley (1899), p. 385.

p. 179, n. 4: Stranger than Fiction, a Short History of the Jews from Earliest Times to the Present Day by Lewis Browne (1925), pp. 234, 237, 239. Stoddard in Re-Forging America (1927), pp. 129, 130, says: "In Eastern Europe a great mass of Ashkenazic Jews have lived for ages. They are descended mainly from a remote branch of Israel which entered Southern Russia from the Caucasus and Armenia, over a thousand years ago. By the time they reached Russia, these Jews were no longer racially 'Hebrews' but were mostly of blood akin to the Armenians. In Southern Russia they converted to Judaism a Central Asiatic tribe, the Khazars, and thereby further mingled their blood. It was this mixed population which drifted westward to Poland and the Ukraine, where they have remained for the last eight hundred years. Here they received reinforcements in the shape of a stream of German Jews fleeing from persecution. These Western Jews were so superior in culture that they imposed their Germanic dialect, which became 'Yiddish.'"

p. 179, n. 5: Old World Traits Transplanted by Robert E. Park and Herbert A. Miller (1921), p. 199.

p. 180, n. 1: Stranger than Fiction by Lewis Browne (1925), pp. 272–274.

p. 180, n. 2: Are the Jews a Race? by Karl Kautsky (1926), p. 176.

p. 180, n. 3: Our Economic and Other Problems by Otto H. Kahn (1920), p. 373.

p. 180, n. 4: A History of American Immigration (1820–1924) by George M. Stephenson (1926), p. 73.

p. 180, n. 5: *Id.*, p. 74.

p. 181, n. 1: Americans — An Impression by Alexander Francis (1909), pp. 69, 70.

p. 181, n. 2: The Old World in the New by Edward A. Ross (1914), p. 143.

p. 181, n. 3: The Jews in America by Madison C. Peters (1905), pp. 95–97.

p. 181, n. 4: Statement of Dr. Laughlin of the Carnegie Institute of Washington to a House Committee on March 8, 1924 (p. 1256).

p. 181, n. 5: Essentials of Americanization by Emory S. Bogardus (1919), pp. 159, 160.

p. 182, n. 1: America's Race Heritage by Clinton S. Burr (1922), p. 122.

p. 182, n. 2: The Jews in the Making of America by George Cohen (1924), p. 262.

p. 183, n. 3: Our Slavic Fellow Citizens by Emily G. Balch (1910), pp. 247, 248.

p. 183, n. 1: Race or Nation by Gino Speranza (1925), pp. 112, 113.

p. 184, n. 1: American Citizenship by David J. Brewer (1914), pp. 19, 20. Professor Hocking of Harvard in Man and the State (1926), pp. 440, 441, says: "No culture is a nondescript culture; no system of law is without its religious presuppositions. The effort of any state to pose as religiously neutral is so painful by its inherent falsity as to make the idea of a state church welcome by contrast. But a state church offends the equally fundamental interest in the free growth of conscience. What is necessary is that the state should declare its legislation based in substance on this or that faith, — in our case, on the Christian faith, — retaining like any individual and as an element of its sovereignty entire liberty of conscience in regard to the judgments of any church. This declaration would render it once for all immune from invidious attack on the ground that a given act of state favors one religion rather than another. The proper answer to all such complaints is that it is inseparable from any effective body of law to do precisely that thing; that their remedy lies in the open field of personal persuasion; and that no apology is to be offered."

p. 184, n. 2: Character of Races by Ellsworth Huntington (1924), p. 336. Drachsler figures that in the United States 4.26% of Jewish marriages are between Jews (of the 1st, 2nd, and 3rd generations) and other races. He says

that in the German Empire in 1915, 40% of the Jewish men who married, married non-Jewish wives; and 26% of Jewesses who married, married non-Jewish men. But for some reason he says that was an unusual year in this respect. Studies in History, Economics and Public Law, Edited by the Faculty of Political Science of Columbia University, Vol. 94 (1920–1921): Monograph on Intermarriage in New York City, a Statistical Study of the Amalgamation of European Peoples by Julius Drachsler, pp. 43, 47 of monograph; pp. 195, 199 of book itself. See also the somewhat astonishing table as to intermarriage in Europe on p. 197 of The Jews by Maurice Fishberg (1911). The same author states that 5% of Jewish marriages in the Northern States of the United States are intermarriages and 33% in the South, pp. 203, 204. Karl Kautsky in his book on Are the Jews a Race? (1926) gives also some tables (pp. 153, 154) showing the large proportion of mixed marriages between Jews and non-Jews in Germany and Holland down to 1908. He adds, "In Italy, France, England and the United States, there are no religious statistics. Zollschan sadly observes that in these countries, in which the Jews have the fullest freedom, 'the process of dissolution of the native Jewry is proceeding at full speed.' In the Jewish families of Italy which belong to the higher social classes he says it has 'almost become a rule to marry their children only to Christians.'" Kautsky also says, "The examples of Italy and Denmark go to show how correct were the calculations of those champions of Jewish emancipation who expected that it would result in a complete absorption of the Jews by the races among which they lived. Zollschan is right; it is only in the ghetto, in a condition of compulsory exclusion from their environment, and under political pressure, deprived of their rights and surrounded by hostility, that the Jews can maintain themselves among other peoples. They will dissolve, unite with their environment and disappear, where the Jew is regarded and treated as a free man and as an equal." p. 156.

p. 184, n. 3: Apella or The Future of the Jews by A Quarterly Reviewer (1926), p. 77.

p. 185, n. 1: See The Jews by Maurice Fishberg (1911), pp. 202, 203.

p. 185, n. 2: Population Problems in the United States and Canada by Louis I. Dublin (1926), pp. 161, 162. Ruppin says: "The one million Jews who lived in Egypt — the centre of Hellenic culture in the first century, — became so utterly merged into Paganism and Christianity that in the following century we hardly hear of the existence of Jews in Egypt at all. . . . How great the losses suffered by Judaism through assimilation have been, may be appreciated by the fact that the Jews number to-day only twelve million souls, while in the first century A.D. they numbered five million. . . .

Italy throughout the Middle Ages possessed large and flourishing Jewish communities; one would expect to find hundreds of thousands of Jews in Italy to-day, instead of which there are only 35,000, and we have no record of great persecutions or emigration. The only reason we can assign is gradual absorption." The Jews of To-day by Dr. Arthur Ruppin (1913), pp. 16, 20, 32.

p. 185, n. 3: Apella or The Future of the Jews by A Quarterly Reviewer (1926), p. 66.

p. 186, n. 1: Success Among Nations by Emil Reich (1904), pp. 139, 140.

p. 186, n. 2: The Melting-Pot Mistake by Henry Pratt Fairchild (1926), p. 153.

p. 187, n. 1: Immigration by Henry Pratt Fairchild, Revised Edition (1925), p. 362. Ruppin, a Jewish writer, says: "In the United States of America, where twenty years ago anti-Semitism was absolutely unknown, the anti-Semitic movement has grown so strong that it has led almost to a social boycott of the Jews in upper circles, and to hostile anti-Jewish demonstrations among the working classes. Overnight, as it were, free America has become an anti-Semitic country. . . . In England and America, anti-Semitism arose because of the great influx of immigrants who are used to a low standard of living, are content to work for a low wage, and so undercut the wages and lower the standard of living of the native workman. . . . *Social* anti-Semitism takes root in countries where numbers of Jews, in a very short space of time, amass great wealth either through business or speculation, and where they do not seek to make their culture and manners comport with their wealth. They thus naturally create a feeling of disgust in upper social circles to which their great wealth gives them access. It is in America particularly that these *nouveaux riches* abound, where the rich Jews serve as a type of the *parvenu*, and where he has to submit to the contempt of the settled American aristocracy and the denial of any social intercourse." The Jews of To-day by Dr. Arthur Ruppin (1913), pp. 200, 201, 202.

p. 188, n. 1: Quoted in America: Nation or Confusion by Edward R. Lewis (1928), p. 328.

p. 188, n. 2: Theories of Americanization by Isaac R. Berkson (1920), pp. 61, 62.

p. 188, n. 3: "The English have easily maintained their position as the most eminent and influential people in America. They are not handicapped by language or other foreign 'taint.' They occupy, as a rule, controlling positions in every walk of life. Nearly all the presidents have been of English lineage; most of the governors. They have furnished most of the editors of the great dailies and the heads of school systems and universities. The

great American authors are nearly all English, and the captains of industry. The culture of the American schools and the ideals of America, as a whole are mainly from England, by way of New England. The English have been, as a rule, kind masters; the other races faithful servants." History of the Norwegian People in America by Olaf Morgan Norlie (1925), p. 79.

p. 188, n. 4: English Traits — Wealth by Ralph Waldo Emerson. Woodruff says: "The European anti-semitism, which has aroused our indignation, is bound to appear in America as soon as the Jews become too numerous. Although they enjoy unprecedented religious liberty, yet when they are in the majority they show a tendency to persecute Gentiles and change the Christian customs of the land. School teachers have referred slightingly to Christ. Such intolerance is already creating intense indignation and may cause political disabilities. The safety of the Jews depends upon being in a controlled minority." Expansion of Races by Charles Edward Woodruff (1909), p. 386.

p. 189, n. 1: Grundy, an English historian, says in his History of the Greek and Roman World (1925), p. 81, "It is difficult to say whether the Semite in an imperial position showed more cruelty or more incapacity; but Asia was a chamber of horrors during the centuries of his rule. Surrounding peoples were conquered; but the yoke laid upon them was so cruel that they preferred to face death and torture rather than submit to it; and so Assyrian history as told on Assyrian monuments is one long recital of conquests, revolts, and reconquests. The Semitic Assyrian's interpretation of empire was the right to bleed white the territories and peoples which he brought under his control." And again, speaking of Carthage centuries later, he says (p. 304), "the Phoenician Semite, like the Assyrian Semite before him, had but one idea of the government of an empire, the reduction of the subject peoples either actually or virtually to the position of slaves, forced either to labour for their masters or to purchase a partial liberty by heavy tribute. Carthage showed none of the consideration which Rome had shown to the people she brought under her sway; and hence she could not, when disaster came, tide it over, as did Rome, by the attachment of her allies, for her subjects had more to gain by her failure than by her success. This was one of the main causes of her defeat in the Second Punic War." Thomas Lloyd, an English writer, formerly editor of "The Statist," in his Inquiry into the Causes of the Growth and Decay of Civilization (1926) says, pp. 71, 72: "For the Semites, with many fine qualities, want the staying power to support for any length of time and to maintain in its integrity any really high civilisation. It is quite true that the Semites have in certain departments of human activity wielded considerable in-

fluence. The Hebrew sacred writings, for example, incorporated in the Christian Scriptures, have powerfully helped to mould European thought in certain directions. Again, Mohammedanism, though, no doubt, borrowed from Judaism and Christianity, was yet the product of Mohammed's brain, took root in Arabia, and was spread widely in the early centuries almost exclusively by Arabians or their subjects. Yet the empire they built up so quickly has perished, and the very religion itself is spreading only among backward races. Moreover, with the empire went the very considerable civilisation which the Saracens preserved in Baghdad, Egypt, and Spain. Whether it is that the Semites have heretofore been so engrossed by fanaticism that they have had no room for any other intellectual interest, or whether it be that their intestine divisions are so unslakable that a Semite empire cannot long subsist, need not be inquired into here. The broad fact is that, with all their fine qualities, the Semites have proved incapable of maintaining the civilisation which they appropriated." And again Lloyd says (p. 543): "Chaldea was inhabited by the brunette race which originated the civilisation we ourselves have inherited. But that race was after a time overcome by Semites, and everywhere and always the Semites are addicted to war. It will be remembered how full of warlike conflicts the Old Testament is; and, in fact, every history that we have of a Semitic people is likewise crammed with incessant struggles. The Semites, having become the ruling people, naturally conducted the policy of the State; and, therefore, they pushed their claims, of whatsoever kind they might be, against their neighbours."

p. 190, n. 1: Essentials of Americanization by Emory S. Bogardus (1919), p. 166.

p. 190, n. 2: Parsons says: "The Turks brought no religion with them into Asia Minor. They adopted there the prevailing religion of the country, Mohammedanism. It is a striking fact, paralleling the religious barrenness of the northern peoples of Europe, that neither the Chinese nor the Mongols nor any northern people of Asia developed a powerful religion of their own. (Confucianism and Taoism are philosophies rather than religions.) They adopted the religions of southern Asia — Buddhism and Mohammedanism — precisely as northern Europe adopted yet another religion born in southern Asia, Christianity." The Stream of History by Geoffrey Parsons (1928), p. 390.

p. 190, n. 3: The Group Mind by William McDougall, 2nd ed. (1928), p. 192.

p. 190, n. 4: Quoted in Ascent of Man by Alfred Machin (1925), p. 299.

p. 190, n. 5: Recent Developments in European Thought, Unity Series

edited by F. S. Marvin (1920): Essay on Historical Research by G. P. Gooch, p. 147.

p. 191, n. 1: Einstein, a recent Jewish writer, says: "Judaism must liberalize its theology, by abandoning all these theologic concepts which tend to make Judaism the religion of but a people. The conception of Deity as convenanting with one people, a chosen people, is not tenable in this day to the rest of mankind. And further, Judaism must dissociate from its theology its outworn and misguiding social concepts. Though Judaism is burdened with many useless and outlived social restrictions, the great mass of Jews still cling to the sociology of their religion with the same tenacity that they cling to its theology. . . . It is vital, however, that this militancy of spirit on the part of Jews should be accompanied by a sense of humility, and that there should be a due recognition of their errors and omissions, with the further recognition that these are not few in number. They are social, in the main, involving our customs, habits, and manners — particularly our ostentatiousness and display, our boisterousness, and our speech. . . . The social habits of the Jew must be made to conform with accepted social standards. But above all things else, the Jew, no less than any other man, cannot afford to lack judgment, tact, and discretion, for these are the mainsprings of society, and it is fatal to lack them. . . . Passed is the day of Judaism as a religion of but a people. The reëstablishment of a Jewish homeland based on a religious principle will only repeat the history of those peoples of the past who sought to make a religious structure of their nation. And if it is intended to revitalize Judaism on the theory that it is the spirit of a nation, that but doubly emphasizes the fact that succeeding generations of Jews, in liberal countries, will be lost to its nationalism — though they will ever respect the scholasticism it may scatter abroad. The rise of nationality among nations as a thing distinct from religion, means that Judaism cannot serve in the capacity of a nationality for the Jews of the liberal countries. . . . The future of Judaism in the liberal countries of the world lies in a greater social adjustment and not in a political renaissance. With the political success of the Zionistic movement assured, it is quite likely that the future will witness an ever-widening religious disassociation of the Jews of the Western World from their Oriental brethren. . . . The characterization of Judaism as the sole property of the Jews was wrongly conceived and wrongly endured. It must be abandoned. Yes, abandoned by those very Jews who would keep Judaism as a private and personal religion and who believe that by so doing they preserve Judaism. . . . The theory of a chosen people has militated vitally against Judaism as a religion for all mankind. The notion that

Judaism is a personal possession belonging solely to the Jewish people was an erroneous conception, thrust upon them because of their unwillingness to abandon it for heathen worship. They never claimed it. Man in this day cannot conceive of a religion worthy of the name, being applicable but to one people. Judaism is an eternal and indestructible religion and with its dissociation from race it will become more definitely a religion for all peoples." The Indestructible Faith by David G. Einstein (1927), pp. 61, 70, 71, 89, 90, 96, 97. An argument in this book that the business characteristics of the Jews are due to their having been shut out from all other pursuits for centuries is capable of being reversed, namely, that they were shut out by reason of these business characteristics.

p. 191, n. 2: The latest Jewish history (A History of The Jewish People by Max L. Margolis and Alexander Marx — 1927 — pp. 181, 182) summarizes Christ and his teachings very fairly. It says: "Among those who had received baptism at the hands of John was the Galilean Jesus (Jeshua), son of a carpenter at Nazareth. The conviction came to him that he was the 'mightier one,' the actual Messiah; but he kept this knowledge at first to himself. He returned to Galilee and repeated John's call to repentance; for 'the time is fulfilled, the Kingdom of God is at hand.' He went about preaching the good tidings in the synagogues and to concourses of the people by means of parables and by explication of telling passages in Holy Writ, more and more disengaging himself from the accepted manner of the schools and speaking with authority. By virtue of his Messianic consciousness, he expelled demons, in which popular belief saw the source of nervous disorders, and remitted sins. He gathered a group of disciples from among the common folk, and some were attracted to him even from the ultra-patriotic zealots. But, to the burning question of one's dealings with Rome, he gave the answer: 'Render unto Caesar the things that are Caesar's, and unto God the things that are God's.' The Kingdom of God of which he preached was not of his political sort. Jesus had points of contact with teachers before him and in his own day. He put morals above ritual, inward piety above ceremonial. To Hillel's Rule he gave a positive turn: 'Whatsoever ye would, that men should do unto you, even so do ye also unto them, for this is the Torah and the Prophets.' Like the school of Shammai, he forbade divorce save for one cause; like the Essenes, he tolerated no manner of oath; with the Pharisees, he held to the belief in the resurrection of the body. Yet, unlike the Pharisees, he associated with publicans; he made light of the washing of the hands and of fasting. He was averse to the overscrupulous severity with which the sabbath and the dietary laws were observed. He said that he came to fulfil the Law, to bring out its

essentials; but in distinguishing between the weightier matters and the lighter he set himself in opposition to the Pharisaic system. He likewise broke with the slow process of Pharisaic adjustments and thought it futile to put patches on an old garment. He taught a righteousness that should exceed the Pharisaic and overdrew the duty of loving one's enemy and of non-resistance to evil, just as he overemphasized the divine love as if the good and the evil deserved it alike."

p. 192, n. 1: The Peril of the White by Sir Leo Money (1925), pp. 66, 67.

p. 192, n. 2: The Legacy of Israel, Planned by Israel Abrahams and Edited by Edwyn Bevan and Charles Singer (1928): Epilogue by C. G. Montefiore, pp. 510, 516, 517.

p. 193, n. 1: Professor Reuter of the University of Iowa is pessimistic. He says (The American Race Problem by Edward Byron Reuter — 1927 — Crowell's Social Science Series, p. 427), "The various methods advocated by individuals and organizations as solutions of the race problem may be dismissed with brief comment. There is no solution." He also says (p. 434), "As a result of intermixture the Negroes as such ultimately will disappear from the population and the race problem will be solved. But in the meanwhile there will be the problem of defining relations in terms tolerable to the members of each racial group." The answer to this is that if the American people thought an amalgamation of whites and blacks inevitable they would tell the negro to be gone and to stay not on the order of his going. The fact is that the North is beginning to understand the negro, and the color line is being drawn closer and closer. When slowly forming public sentiment reaches the settled conclusion that the negro is a real menace he will have to go. As to amalgamation Huntington and Whitney say: "it is doubtful whether such a complete mixture will occur. In many European and Asiatic lands diverse races have been living together for hundreds of years without coalescing. The South has drawn a sharp color line." The Builders of America by Ellsworth Huntington and Leon F. Whitney (1927), p. 82. Professor Holmes, speaking of the negroes in the United States, says: "Human history has shown repeatedly that when different races are brought together in the same territory, whether as masters and slaves, conquerors and conquered, or as sharers in common rights, mixture of blood almost invariably follows: Even the Jews who have endeavored with remarkable persistency to maintain the purity of their race have come to exhibit many of the anthropological characteristics of the races among whom they dwell." Studies in Evolution and Eugenics by S. J. Holmes (1923), ch. XVI, p. 246. In an optimistic book by Professor Brigham we find the optimistic opinion: "In conclusion, we may be sure

that the negro will not be deported, he will not be segregated on reservations, and he will not be amalgamated. He does not want social equality, in the sense usually given to that expression, but he desires freedom of opportunity with the whites. He will be reasonably educated; negro crime and white vengeance are decreasing, and moral and intellectual leaders are arising in the black race. In the end, by the attainments of the black man and the good sense of the white man, the vexed questions concerning the privileges and rights of the negro will be peacefully solved." The United States of America by Albert Perry Brigham (1927), pp. 105, 106. Professor Hart of Harvard says: "Nothwithstanding the horror felt toward amalgamation, from time to time in unexpected Southern quarters reappears the suggestion that it is impossible for the two races to live alongside each other separate, and that the logical and unavoidable outcome is fusion; that the relentless force of juxtaposition is too much for law or prejudice or race instinct. Over and over again one is told that nowhere in history is there an example of two races living side by side indefinitely without uniting. This is not historically true; Mohammedans and Hindoos (originally of the same race) have lived separate hundreds of years in India; Boers and Kaffirs have been side by side for near a century; the English colonists and the American Indians were little intermixed." The Southern South by Albert Bushnell Hart (1910), p. 349. Woolf, a recent English writer, says as to the negro in the United States: "The alternatives to open conflict are three: (1) extermination of the negro, (2) segregation of the negro, (3) absorption of the negro." He includes expulsion in extermination. He says segregation is the existing policy. He thinks "There can be no real solution without assimilation, which must involve political and economic equality, but need not, I think, involve physical assimilation." He does not believe any of the above "alternatives" is feasible or possible. "But if extermination, segregation, and assimilation are all impossible, then there is no solution to the problem at all except continual conflict and a drift to inevitable disaster." Imperialism and Civilization by Leonard Woolf (1928), pp. 100, 103.

p. 193, n. 2: The American Race Problem by Edward Byron Reuter (1927), Crowell's Social Science Series, p. 428.

p. 193, n. 3: The Americans by Hugo Munsterberg (1904), p. 183.

p. 194, n. 1: The United States as a World Power by Archibald C. Coolidge (1919), p. 71.

p. 194, n. 2: Reuter says of the negroes, "Their chief positive contribution to American life was the manual labor necessary for the exploitation of certain natural resources and the rapid development of an agricultural in-

dustry in the part of the country least suited climatically to white labor. But this unquestioned labor contribution was made at the expense of a modified economic order. The existence of slave labor made the growth of an efficient and self-respecting free labor group impossible. The presence of a servile group determined the form and development of political institutions — made impossible the free growth of a democratic political order. The presence of the Negroes perverted the democratic social institutions and led to the caste form of social organization." The American Race Problem by Edward Byron Reuter (1927), Crowell's Social Science Series, p. 118.

p. 194, n. 3: The Negro, the Southerner's Problem by Thomas Nelson Page (1904), p. 3.

p. 195, n. 1: Some Memories of the Civil War by George Haven Putnam (1924), pp. 15, 16.

p. 195, n. 2: Mankind at the Crossroads by Edward M. East (1923), p. 135.

p. 196, n. 1: Diary of Gideon Welles (1911), Vol. 1 (1861–1864), pp. 152, 150.

p. 196, n. 2: Woofter says: "It is evident from the examination of Negro birth-rates and death-rates that the large city populations barely maintain themselves by excess of births over deaths. When the population was badly upset by migration, deaths actually exceeded births in many places. In New York City, for ten years preceding 1916, there were 400 more deaths than births." Negro Problems in Cities by T. J. Woofter, Jr. (1928), p. 33.

p. 196, n. 3: Studies in Evolution and Eugenics by S. J. Holmes (1923), Ch. XVI, p. 249.

p. 196, n. 4: *Id.*, p. 231.

p. 197, n. 1: See The Menace of Colour by J. W. Gregory (1925), p. 230. Professor Dowd says, "Darwin thought 'that a cross between individuals of the same species, which differ to a certain extent, gives vigour and fertility to the offspring, and on the other hand the balance of evidence decidedly tends to show that a cross between individuals of different species, or even of very distinct varieties of the same species, is by no means beneficial as a general rule.' (Chatterton-Hill, Heredity and Selection in Sociology, p. 127.) For example, if a stockman wishes to preserve the vitality of his herd of Jersey cattle, he will, now and then, introduce Jersey stock from another herd, but would not think of introducing Holsteins or Durhams. 'In general,' to quote East and Jones in their book on Inbreeding and Outbreeding, 'it can be said that differences in uniting germ plasms, when not

too great, may bring about more efficient development and increased fertility. Beyond that critical point of difference both fertility and vigor may be decreased, but fertility is usually the first to suffer — even complete sterility often being coupled with rampant growth.' (Inbreeding and Outbreeding by East and Jones, p. 193.) The same principle has been applied to man. Topinard, for instance, asserted that the intermingling of nearly related races is certainly good and that of distantly related races certainly bad. (Elements d'Anthropologie generale.) David Livingstone once remarked that 'God made the white man, and God had made the black, but the devil had made the half-breed.' The same idea is advanced by McDougall, who says: 'The crossing of the most widely different stocks, stocks belonging to any two of the four main races of man, produces an inferior race; but the crossing of stocks belonging to the same principal race, and especially the crossing of closely allied stocks, generally produces a blended subrace superior to the mean of the two parental stocks, or at least not inferior.' (The Group Mind, p. 332.)" See The Negro in American Life by Jerome Dowd (1926), pp. 410, 411.

p. 197, n. 2: The Citizen by Nathaniel S. Shaler (1904), p. 236.

p. 197, n. 3: The Psychology of Peoples by Gustave Le Bon (1898), p. 53. Archibald R. Colquhoun (English) in his Greater America (1904), pp. 118, 119, says: "As regards the mingling of Spanish and colored blood, it can only be said that, although there have been exceptional individuals of the mulatto or *mestizo* class, the result as a whole is deterioration from a moral as well as a physical point of view. The predisposition to disease in half-breeds between white and colored races is a recognized fact; and it has been specially noted in the West Indies that a contagious malady proves more fatal to the *slightly* colored class than to any other. The half-breeds lack the virility and staying power of the pure races. Their mental and moral qualities are a delicate subject for discussion. Englishmen have always felt a strong prejudice in this respect, even in the case of so refined and cultivated a people as the Hindoos. This objection is, of course, founded on race prejudice, but it has been confirmed by experience, which shows that, despite brilliant exceptions, the half-breed is as a class unreliable, superficial, inclined to be tricky, to reproduce the worst features of both parents, and, even under the most favorable conditions, to degenerate in physique. The race question is further complicated in Cuba by the fact that in this case the colored element is negro."

p. 197, n. 4: The Mulatto in the United States by Byron Reuter (1918), p. 102.

p. 197, n. 5: Mankind at the Crossroads by Edward M. East (1923), p. 139.

p. 197, n. 6: Professor Dowd says, "The late Professor N. S. Shaler, of Harvard University, asserted that 'almost all the Negroes of this country who have shown marked capacity of any kind have had an evident mixture of white blood.' (The Neighbor by N. S. Shaler — 1904 — p. 163.) The opinion of Seth K. Humphrey on the question may be inferred from the following quotations: 'Most of the literature and all of the statistics covering Negro accomplishments are worthless since they deal mainly with doings of White men incumbered with Black inheritances. Booker Washington is said to have had a remarkably able White father. Surely no one who has watched his great educational work would say that the Black inheritance of Booker Washington was thus demonstrating itself.' (Mankind; Racial Values and the Racial Prospect by Seth K. Humphrey — 1917 — pp. 164, 166.)" See The Negro in American Life by Jerome Dowd (1926), p. 386.

p. 197, n. 7: Professor Dowd says, however, "It is evident that the mulatto increase in the United States has been due mainly to the intermixture of Negroes and mulattoes, and not the intermixture of Negroes and whites, that the intermixture of whites and blacks was at its maximum in early Colonial times and has been diminishing every year since." The Negro in American Life by Jerome Dowd (1926), pp. 451, 452. "Almost without exception the groups which are most heavily mixed with Negroes in the North are Jewish and Italian. This is owing in part to the fact that Negroes have moved into neighborhoods formerly occupied by these foreign groups, and some of the original occupants remain. Those least mixed are the Irish and native white people." Negro Problems in Cities by T. J. Woofter, Jr. (1928), p. 39.

p. 198, n. 1: The Mulatto in the United States by Byron Reuter (1918), p. 397. In this connection the following from Baron Von Taube's book, In Defense of America (1912), bears on the world-wide subject of biology. He says (pp. 101, 102): "As a general rule, especially among planters of English descent, the negroes were very rarely ill-treated. On the contrary, an almost scientific care was exercised in the rearing of the most contented and vigorous specimen, and this not out of any extra humanitarian sentimentality, but simply on the basis of strict business, a happy and well-developed negro being considered twice as profitable and valuable as an ill-treated one. Some of the old Virginia and Carolina planter regulations for the management of negroes would serve as models for the modern municipal regulations of the white man, especially in regard to the breeding of healthy and sturdy specimens of our own race. In truth, the planters' interests lay in doing all that is so sadly missing in the present provisions of our famous civilization for rearing our future generations or even taking a hy-

gienic care of our own existence, many down grades instead of ameliorations of our human species being the result."

And again he says (p. 145): "In the primitive conditions of existence in the early days of the States, nature took good care to eliminate weaklings and the otherwise unfit, without giving them the chance to propagate their defective breed, as civilization is wont to do today. It must be remembered, too, that some of these rough conditions of life continue to exist, in many parts of the Union, breeding a robust and self-reliant strain of men, sending forth many of their young forces to take part in the general game of life played in the country."

p. 198, n. 2: Heredity and Human Affairs by Edward M. East (1927), p. 194.

p. 198, n. 3: Professor Coolidge of Harvard says, "The Filipinos were infuriated at the suggestion, made in the United States, that their islands should be colonized by the surplus of the American colored population." The United States as a World Power by Archibald C. Coolidge (1919), p. 74, note.

p. 199, n. 1: University and Historical Addresses by James Bryce (1913): Address on The Beginnings of Virginia, delivered April 17, 1907; p. 7.

p. 199, n. 2: America's Race Heritage by Clinton S. Burr (1922), p. 156.

p. 199, n. 3: See A History of the United States by Cecil Chesterton (1919), p. 277. Professor Dowd says, "Speaking on the subject of colonization in 1857, he [Lincoln] said: 'Let us be brought to believe it is morally right, and at the same time favorable to, or, at least, not against our interests, to transfer the African to his native clime, and we shall find a way to do it, however great the task may be.' (Nicolay and Hay, *Abraham Lincoln*, Vol. 1, p. 235.) In his first annual message to Congress, December, 1861, Lincoln advocated the colonization of the thousands of Negroes who had come into custody of the Federal government through the operations of war. (Messages and Papers of the President, Vol. 6, p. 54.) Congress accordingly passed an act appropriating $600,000 to be used by him in carrying out his plan. In furtherance of the act, Lincoln invited a delegation of prominent colored men to meet him at the White House on August 14, 1862; and at this meeting he said: 'And why should the people of your race be colonized, and where? Why should you leave this country? This is perhaps the first question for proper consideration. You and we are different races. We have between us broader differences than exist between almost any other two races. Whether it is right or wrong I need not discuss; but this physical difference is a great disadvantage to us both as I think. Your race suffer very greatly, many of them by living among us, while ours suffer from your

presence. In a word we suffer on account of each side. If this be admitted, it affords a reason at least, why we should be separated.' (Raymond, The Life, Public Services and State Papers of Abraham Lincoln, p. 504.)" Professor Dowd further says, "The money appropriated by Congress for carrying out Lincoln's plan was used mostly in fruitless efforts to settle negroes in New Granada and on La Vache island, off the coast of Haiti. Since the Civil War there has been no organized effort to send the Negroes out of our country, but the colonization idea has persisted in the minds of numerous students of our Negro problem." The Negro in American Life by Jerome Dowd (1926), pp. 460, 461. Daniel Webster in his famous speech of March 7, 1850, said: "If any gentlemen from the South should propose a scheme, to be carried out by this Government on a large scale, for the transportation of free colored people to any colony or any place in the world, I should be quite disposed to incur almost any degree of expense to accomplish that object. Nay, sir, following an example set more than twenty years ago by a great man, then a Senator from New York, I would return to Virginia, and through her to the whole South, the money received from the lands and territories ceded by her to this Government, for any such purpose as to remove, in whole or in part, or in any way to diminish or deal beneficially with, the free colored population of the Southern States. I have said that I honor Virginia for her cession of this territory. There have been received into the Treasury of the United States eighty millions of dollars, the proceeds of the sales of the public lands ceded by her. If the residue should be sold at the same rate, the whole aggregate will exceed two hundred millions of dollars. If Virginia and the South see fit to adopt any proposition to relieve themselves from the free people of color among them, or such as may be made free, they have my full consent that the Government should pay them any sum of money out of the proceeds of that cession which may be adequate to the purpose." Life of Daniel Webster by George Ticknor Curtis (1870), Vol. 2, p. 408. Professor Hart of Harvard says the plan is impracticable. He says, "Jefferson favored it; the Colonization Society organized it in 1816, and in the forty years from 1820 to 1860 succeeded in sending about ten thousand Negroes to Liberia. Abraham Lincoln favored it. It is often suggested nowadays." And then the professor sets forth various reasons why it can not be done. The Southern South by Albert Bushnell Hart (1910), pp. 350–354. Stoddard says, "Thomas Jefferson and Abraham Lincoln, for instance, were firm believers in colonization. At present a school of thought exemplified by the 'White America' movement strongly urges that colonization be immediately undertaken, while on the negro side Marcus Garvey's 'Pan-African' movement proclaims that the

Negro has no future in America, and asserts that his only hope lies in a return to his ancestral home. Now it may well be that something like this will eventually take place. We have already seen that the negro's prospects in America are far from bright. It is by no means certain that the bulk of the race can adapt itself to the increasingly strenuous requirements of American life. If this prove to be so, the American negro may himself come to realize that his only chance of survival lies in removal to an environment more suited to his racial aptitudes, especially since he is already the spiritual and cultural leader of his race, and is thus fitted for leadership among more backward African peoples. Colonization should, therefore, be seriously pondered, and should always be kept in mind as a possible solution. But at present it is scarcely a practical matter. Most negroes are to-day strongly opposed to the idea, while white America is not prepared to undertake the task and to undergo the profound economic readjustment which the removal of our great negro population would entail." Re-Forging America by Lothrop Stoddard (1927), p. 324. Professor Dowd says, "The departure of the Negro would raise the wages of all labor, and give the South a laboring class living on high standards and forming an assimilable element of citizenship. If the Negroes were out of the way, the South would have the same chance to get white labor as any other section of the country. A Southern man, or Northern man for that matter, can hardly be found who would not admit that the South, or any other section, would be better off with a population all white. But while the Southern people realize this fact, they are not anxious to see the change come about. They are adjusted to the state of things which exists, and, upon the whole they like the Negro." The Negro in American Life by Jerome Dowd (1926), p. 259. Constitutional law would probably prevent forcible deportation of citizens to a foreign country and the negroes are citizens. But if America should acquire suitable territory, public sentiment of the whites, or desire of the blacks to live only with their equals, or the "police power" of the states limiting "due process of law," might bring about a migration. If not and if Americans became convinced that their civilization was menaced by the blacks, a constitutional amendment for a complete parting of the two races would pass, property rights being preserved.

p. 200, n. 1: The Indestructible Union by William McDougall. Vol. II of American Nationalism Series, Henry B. Hall, Editor (1925), pp. 163, 164.

p. 200, n. 2: Studies in Southern History and Politics (1914), p. 30. The article by Professor Fleming in this book (pp. 3–30) gives a very complete statement of the various colonizing attempts.

p. 201, n. 1: Essentials of Americanization by Emory S. Bogardus (1919), p. 142. Gregory, a Glasgow professor, writing of Italian emigration to Australia says: "Italians would be especially suitable for the tropical areas, and there seems no danger to Australian nationality from a certain proportion of Italian blood. Australia seems quite prepared to accept Scandinavians; but the number of them available is small; and the nation that produced such a galaxy of men as Dante, Leonardo da Vinci, Galileo, and Columbus, such artists as Michael Angelo, Titian, and Raphael, and has impressed the nomenclature of electricity and wireless telegraphy with the names of Galvani, Volta, and Marconi, need not fear comparison with Scandinavia. If Australia provides the young Italians with good schools and conditions favourable to their assimilation, there need be little fear of racial deterioration by an admixture of the nation to whom the world owes the Renaissance." Human Migration and the Future by J. W. Gregory (1928), p. 161. True, but that kind of stock does not come from Sicily — southern Italy.

p. 202, n. 1: Lay Thoughts of a Dean by William R. Inge (1926): Essay on Revolutions, pp. 157, 158.

p. 203, n. 1: The Italian Emigration of our Times by Robert F. Foerster (1919), p. 330.

p. 203, n. 2: Immigration Restriction by Roy L. Garis (1927), pp. 211, 212; quoting from Races and Immigrants in America by John R. Commons (new edition), p. 78.

p. 204, n. 1: See statement by Dr. Laughlin of the Carnegie Institute of Washington to a House Committee on March 8, 1924 (pp. 1247, 1248, 1285, 1306).

p. 206, n. 1: A Political and Social History of the United States by Arthur M. Schlesinger (1925), p. 229. Gideon Welles, Lincoln's Secretary of the Navy, wrote in his Diary, September, 1863: "The Russian fleet has come out of the Baltic and are now in New York, or a large number of the vessels have arrived. They are not to be confined in the Baltic by a northern winter. In sending them to this country at this time there is something significant. What will be its effect on France and the French policy we shall learn in due time. It may moderate; it may exasperate. God bless the Russians." And again in December, 1863: "The Russian government has thought proper to send its fleets into American waters for the winter. A number of their vessels arrived on the Atlantic seaboard some weeks since, and others in the Pacific have reached San Francisco. It is a politic movement for both Russians and Americans, and somewhat annoying to France and England. I have directed our naval officers to show them all proper cour-

tesy, and the municipal authorities in New York, Boston, and Philadelphia have exhibited the right spirit. Several of the Russian ships arrived and ascended the Potomac about the 1st instant. On Saturday, the 5th instant, the Admiral and his staff made me an official visit, and on Monday, the 7th, the Secretary of State and myself with Mr. Usher returned the visit. . . . Today the Members of Congress very generally visited the Russian fleet. I did not go down, but detailed two steamers which were at the yard to convey the members. Our Russian friends are rendering us a great service." Diary of Gideon Welles (1911), Vol. 1 (1861–1864), pp. 443, 480, 481, 484. Seward writes: "When the threatened 'intervention' seemed . . . to be impending, two Russian fleets appeared in American waters, and passed summer and winter there. One came up the Potomac to Washington, and subsequently visited New York. The other appeared at San Francisco." Reminiscences of a War-time Statesman and Diplomat, 1830–1915 by Frederick W. Seward (1916), p. 218. Sears says: "In the spring of 1864 the Russian Admiral Popov gave security to San Francisco from the menace of attack by the *Sumter* and the *Alabama*, Confederate cruisers in its neighborhood. The United States had no warship on that station, and Russian aid was therefore timely. In the language of the Tsar's commander, 'According to instructions received from His Excellency Rear-Admiral Popov, commander in chief of His Imperial Russian Majesty's Pacific Squadron, the undersigned is directed to inform all whom it may concern that the ships of the above mentioned squadron are bound to assist the authorities of every place where friendship is offered them in all measures which may be deemed necessary by the local authorities, to repel any attempt against the security of the place.' In this the Admiral exceeded his instructions. But his act remains an evidence of friendship, and if tested by events must probably have been upheld. Meanwhile the presence of Russian warships in proximity to the lanes of commerce caused England to think twice before aiding Poland in her insurrection. Professor F. A. Golder's summary of the situation is most illuminating. 'It is, of course, true that the fleet was not ordered to America for our benefit, but this should not blind us to the fact that we did profit by the event as if this had been the case. If, as the Russians maintain, the presence of their ships in our waters saved them from a struggle in which they were not in a position to engage, we should be very proud that it was in our power to do so. It was a most extraordinary situation: Russia had not in mind to help us but did render us distinct service; the United States was not conscious that it was contributing in any way to Russia's welfare and yet seems to have saved her from humiliation and perhaps war. There is probably nothing to compare with it in dip-

lomatic history.'" History of American Foreign Relations by Louis Martin Sears (1927), p. 324. On the other hand, Archibald R. Colquhoun (English) in his Greater America (1904), pp. 358, 359 said: "One of the signs of the times is an evident working compact between Russia and Germany, and an interesting sidelight is cast on this by the clause included in the Russo-German agreement regarding China, which provides that Russia shall oppose no obstacle to German ambitions in South America and shall give her a free hand in following out her interests and developing the material resources in that country."

p. 206, n. 2: See National Isolation an Illusion by Perry Belmont (1925), p. 153.

p. 206, n. 3: The statement that $5,800,000 of this price of $7,200,000 was to refund to Russia the expense of aiding us in 1863 seems unfounded. See American Diplomacy by Carl R. Fish (1923), p. 359; also A Short History of the American People by Robert G. Caldwell (1927), pp. 389–392. For a different version, see The United States of America by David Saville Muzzey (1924), Vol. II, p. 47. Secretary of State Seward on June 25, 1862, wrote to John Bigelow in Europe on a diplomatic mission for the United States as follows: "Between you and myself alone, I have a belief that the European State, whichever one it may be, that commits itself to intervention anywhere in North America, will sooner or later fetch up in the arms of a native of an oriental country not especially distinguished for amiability of manners or temper." Bigelow comments on this as follows: "As doubts have been expressed in some quarters whether Mr. Seward ever had any expectation of aid from Russia and whether reports to that effect were not 'historic myths,' I have marked the paragraph in the preceding letter which I believed then to be, and still believe to have been, a sufficient warrant for the inference that the Secretary of State had an understanding with the Russian Government. What he wrote certainly implies more than could be inferred from a simple display of the flag of the Czar in the harbor of New York. Shortly after my return from France in 1867, I spent a few days in Washington, during which time I had frequent interviews with Mr. Seward and occasionally met at his house M. Bodisco, the Russian Minister at Washington. The purchase of Alaska from Russia had just been consummated. Of course neither Mr. Seward nor M. Bodisco said distinctly to me that that purchase was made purely and simply as a gracious recognition on the part of the Washington Government of the attitude of the Czar toward the United States in 1862, but I doubt if there was any member of either house of Congress who supposed the Government then had any other motive in the purchase of Alaska than to recognize its obligations

to the Czar, or that as territory it had any value except as ridding us of an alien neighbor. The fact that 'there is, as I am told, no record of such an understanding in the government departments,' is not surprising. Flirtations between nationalities, as between the sexes, are not apt to be proclaimed from the housetops, nor even made matters of record." Retrospections of an Active Life by John Bigelow (1909), Vol. 1, pp. 499, 500.

p. 208, n. 1: The Poles in America by Paul Fox (1922), New Americans Series, p. 65.

p. 208, n. 2: Our Foreigners by Samuel P. Orth (1920), p. 168, being Vol. 35 of Chronicles of America Series.

p. 209, n. 1: Old World Traits Transplanted by Robert E. Park and Herbert A. Miller (1921), pp. 233, 234.

p. 210, n. 1: President Coolidge says as to these lines of Goldsmith: "Excellent poetry, but not a good working philosophy. Goldsmith would have been right, if, in fact, the accumulation of wealth meant the decay of men. It is rare indeed that the men who are accumulating wealth decay. It is only when they cease production, when accumulation stops, that an irreparable decay begins. Wealth is the product of industry, ambition, character, and untiring effort. In all experience, the accumulation of wealth means the multiplication of schools, the increase of knowledge, the dissemination of intelligence, the encouragement of science, the broadening of outlook, the expansion of liberties, the widening of culture. Of course, the accumulation of wealth cannot be justified as the chief end of existence. But we are compelled to recognize it as a means to well-nigh every desirable achievement. So long as wealth is made the means and not the end, we need not greatly fear it. And there never was a time when wealth was so generally regarded as a means, or so little regarded as an end, as to-day." An address before the American Society of Newspaper Editors, in Washington, January 17, 1925 by Calvin Coolidge: The Mind of the President by C. Bascom Slemp (1926), p. 294.

p. 211, n. 1: By 218 B.C., however, a trading class existed in Rome and senators were by law forbidden to engage in overseas trade. After 146 B.C. commercialism began to dominate Roman policy. See A History of the Greek and Roman World by G. B. Grundy (1925), pp. 349, 356.

p. 211, n. 2: Character and Circumstances of Nations by John Bigland (1816), pp. 154, 155.

p. 213, n. 1: Current Problems in Citizenship by William B. Munro (1924), pp. 531, 532.

p. 214, n. 1: As stated on page 135 *supra*, the aggregate wealth of the United States has increased rapidly, actually as well as nominally. But

the part thereof invested in foreign countries is comparatively small. The Department of Commerce under Hoover as Secretary in its Balance of International Payments of the United States in 1927 estimated (p. 20) American foreign investments at between eleven and a half and thirteen and a half billions of dollars, exclusive of debts to the American government. Foreign investments in the United States were estimated (p. 43) at $3,700,000,000 including $2,212,000,000 American securities held by international bankers for account of foreigners. These are large figures but Professor Buell of Harvard University in his work on International Relations (1925) says (pp. 378, 379): "In 1914 the foreign investments of European countries totalled 40 billion dollars, of which Great Britain held about 20 billion, France 8 billion, and Germany about 7½ billion dollars." Professor Boggs in his International Trade Balance (1922) says (p. 75) that in 1914 about $5,500,000,000 of foreign capital was invested in the United States and only $1,500,000,000 American capital invested abroad, but in 1922 only $1,000,000,000 foreign capital was still here, while $14,000,000,000 American capital is invested abroad. He also says (p. 106) that in 1914 Great Britain probably had $17,500,000,000 invested abroad and while she sold about $5,000,000,000 by reason of the war and has borrowed about $7,000,000,000, yet she has loaned $9,000,000,000, and that at present she has a balance of $15,000,000,000, disregarding bad debts (pp. 115, 116).

As to the loans by the United States Government to foreign governments "by the debt-funding treaties, the obligations of the debtor nations were scaled down, on a present-worth basis, to about half their amount on the dates of funding." This involved a loss of $5,000,000,000 (Hoover's Report *supra*, p. 55). All of the above figures show the absurdity of the European effort to wriggle out of these debts. One argument is that it is necessary in order to restore prosperity to Europe and enable it to buy our products. England for a hundred years has been accumulating foreign bonds and still has billions of them. Why not use them? Charity rarely creates prosperity. The argument that cancellation would restore to America the good will of Europe is equally absurd. It is our prosperity that makes us unpopular. Cancel the debts and then Europe would complain of our tariff and our immigration laws and our prohibition laws (interfering with importations of wines, whiskies, and beer) and our commercial aggressiveness and methods.

Hoover's Report referred to above says (p. 30) as to another argument: "Persons unfamiliar with the magnitude of international transactions find it difficult to put the war-debt payments into proper perspective. Many have feared that these payments would have to be received in imported merchandise in quantities that would swamp domestic production. Last

year's war-debt receipts were about $200,000,000; while our receipts from foreigners during 1927 totaled about $9,000,000,000."

As Lloyd's Bank Monthly of London in its issue of August, 1926, says, "If European countries are in a position to spend large sums on armaments and military expeditions it is only natural that a creditor should insist on a policy of payment of debts." It is said that Europe today has three million men under arms. They don't go to war inasmuch as they have no money with which to buy munitions and supplies. Dexter and Sedgwick say: "So far as we can form an opinion the present state of affairs is more suggestive of approaching war than in 1914. There appears to be nothing that tends to peace except exhaustion. So long as the debts of the last war are felt by those who are drifting towards another, there may be some reason to hope that the people who have to pay them will compel their statesmen to avoid war. There is the deterrent which conclusive demonstration of the cost, even to the victors, affords. The generations who must pay will have that much incentive to keep the peace. It may be insufficient, but at least it is in the right direction. If the United States cancel their claims it will furnish a precedent that debts incurred for future wars need not be paid either, and that if the United States can be drawn in, they can be used to pay for those wars. That seems a little like putting a premium on war. No American would wish to do that. . . . It does not seem to have occurred to Europeans that their present predicament puts them, to some small extent, under bonds of good behavior. It has occurred, however, to Americans, and they are not disposed to discharge the bonds while the nations in question continue to snarl at each other." The War Debts by Philip Dexter and John Hunter Sedgwick (1928), pp. 104, 105. Europeans might well ponder on the following from Hoover's Report (p. IV): "Another of the important disclosures from this study is the fact that the capacity of foreign people to purchase American goods, or to repay obligations to the United States, is enhanced by the sum of approximately $900,000,000 through the $617,000,000 expended by our tourists abroad, the $206,000,000 remitted by immigrants in the United States to their relatives at home, the $43,000,000 of American charitable contributions to foreign countries, and our payments to other countries of $32,000,000 for freight. These sums almost exactly offset the net amount paid to us by foreigners for interest on their private debts and upon their war debts to our government."

These debts from foreign Governments to the United States Government on June 30, 1928, aggregated about $10,854,000,000, of which amount about $7,199,000,000 was funded (chiefly $4,480,000,000 Great Britain; $2,027,000,000 Italy; $411,130,000 Belgium; and the rest scattering), while

$3,202,265,000 was unfunded (consisting of about $2,911,507,000 French; $187,729,000 Russia and the rest from Czechoslavakia, Greece, and Serbia), and there was $453,620,000 due from sales of surplus war supplies, chiefly $407,341,000 from France. For these figures I am indebted to Hon. Ogden L. Mills, Under-secretary of the Treasury, a man who as State Senator, Congressman, and executive officer has shown that the wealthy and well-born American is still capable of rendering the highest public service, an example which is encouraging to every well wisher of the country.

The Englishman (who always grumbles but pays) may get further comfort from the following taken from The Statist of October 30, 1926: "The net balance of our interests and dividends on foreign investments (in excess, that is, of the payments on our external debt) has been growing more rapidly than the similar balance in the U. S. A. In 1923 we derived a net income equivalent to $686 million on foreign investments; in 1924, $817 million; and in 1925, $1,046.3 million. In the United States the corresponding figures were: $417 million in 1923, $464 million in 1924, and $515 million in 1925. The United Kingdom is, therefore, still by far the most important of the creditor nations of the world." In other words Great Britain today is making more foreign loans than the United States. As the National City Bank says in its monthly publication for November, 1928, if the United States cancelled the debt owed it by Great Britain the only effect would probably be "that the foreign loans of Great Britain would be correspondingly increased and those of the United States correspondingly restricted. . . . It is not a violent assumption that up to date the chief effect of Great Britain's obligations to the United States has been that the former country has invested less capital abroad and the United States more than otherwise would have been the case."

p. 214, n. 2: The First Americans by Thomas Jefferson Wertenbaker, p. 75, being Vol. II of A History of American Life, edited by Arthur M. Schlesinger and Dixon Ryan Fox (1927).

p. 215, n. 1: The Hindrances to Good Citizenship (1909): Lecture on Private Self-Interest as a Hindrance to Good Citizenship by Viscount James Bryce, p. 66.

p. 222, n. 1: British-American Relations by James D. Whelpley (1924), pp. 101 and 106.

p. 223, n. 1: See Tipling *v.* Pexall, 2 Bulst. 233.

p. 229, n. 1: William Graham Sumner by Harris E. Starr (1925), pp. 400, 401.

p. 230, n. 1: Democracy and Liberty by William E. H. Lecky (1878), Vol. 1, p. 213.

p. 230, n. 2: The Future of Trades-Unionism and Capitalism in a Democracy by Charles W. Eliot (1910), p. 29.

p. 231, n. 1: Problems of Today by Moorfield Storey (1920), pp. 61, 62, and 71.

p. 232, n. 1: The American Era by H. H. Powers (1920), pp. 116, 117.

p. 232, n. 2: In 1912 a distinguished board of arbitration to settle the differences between 52 railroads and their locomotive engineers in deciding the controversy said, "It is believed that, in the last analysis, the only solution — unless we are to rely solely upon the restraining power of public opinion — is to qualify the principle of free contract in the railroad service," and further said, "The suggestion, . . . grows out of a profound conviction that the food and clothing of our people, the industries and the general welfare of our nation, cannot be permitted to depend upon the policies and dictates of any particular group of men, whether employers or employees." Quoted in The Armies of Labor by Samuel P. Orth (1919), p. 147, being Vol. 40 of Chronicles of America.

p. 233, n. 1: Capital's Duty to the Wage-Earner by John Calder (1923), pp. 53, 111, 112.

p. 235, n. 1: Dissertations and Discussions: The Claims of Labor by John Stuart Mill (1845), Vol. 2, pp. 276, 277.

p. 236, n. 1: The Rights of Man (1901): Lecture on Industrial Rights by Lyman Abbott, pp. 106, 107.

p. 236, n. 2: The Conflict Between Individualism and Collectivism in a Democracy by Charles W. Eliot (1910), pp. 12–14.

p. 237, n. 1: Charles W. Eliot, the Man and his Beliefs, edited by William Allan Neilson (1926), Vol. I, p. 258.

p. 237, n. 2: See Statement and Chart by National Industrial Conference Board, Inc., August, 1927.

p. 237, n. 3: American Labor Dynamics, edited by J. B. S. Hardman (1928): Article on The Challenge of Company-Made Unionism by Paul Wander, p. 226.

p. 238, n. 1: *Id.*, Article on Economic Conditions and Union Policy by Leo Wolman, pp. 37–40.

p. 238, n. 2: *Id.*, Article on Prosperity, Politics and Policy by Louis Stanley, pp. 197–204. See also another article in this book which says "The building trades, which were once known as pioneers in the labor movement, are now known as prosperous, reactionary and corrupt." *Id.*, Article on Glorifying the Business Agent by Winifred Raushenbush, p. 195.

p. 239, n. 1: Americanization, edited by Winthrop Talbot (1917):

Address on Labor Unions — Americanization by Labor Unions by John R. Commons, p. 306.

p. 240, n. 1: Races and Immigrants in America by John R. Commons (1908), pp. 151, 152.

p. 243, n. 1: At a meeting of the American Federation of Labor in Detroit, October 12, 1926, the report of the resolutions committee was adopted and that report contained the following: "We regard the Soviet régime in Russia as the most unscrupulous, most anti-social, most menacing institution in the world to-day. Between it and our form of political and social organization there can be no compromise of any kind. We repeat the call to American trade unionists to stand true to their faith, to be militant in their defense of the principles of freedom and justice for which our movement stands and upon which our democracy rests its foundation walls."

p. 243, n. 2: Great American Issues by John Hays Hammond and Jeremiah W. Jenks (1921), pp. 99, 100.

p. 244, n. 1: "For a long time past the interests of the employee and the employer have been the only ones considered. The employer says: 'I must have so much,' and the employee says: 'I must have so much.' Seldom does either take into consideration the ultimate consumer upon whom they both live. The other party — the public in general — should be taken into consideration. Time after time I have seen labour troubles settled between the employer and the employees without any consideration whatsoever given to the public. For instance, the coal miners decide that they want $1.00 more per day. Their employer assents and promptly adds the dollar, or more, to the cost of coal that we — you and I — use in our homes. When the great middle class in this country are awakened to the fact that their rights are not protected, they will, as they should, have a part and a voice in the settlement of all future disputes." Americanism versus Bolshevism by Ole Hanson (1919–1920), p. 266.

p. 247, n. 1: Democracy and Liberty by William E. H. Lecky (1878), Vol. I, p. 102.

p. 247, n. 2: Economics for Executives: Vol. entitled Enterprise and Business Organization by George E. Roberts, pp. 33, 34 (1923).

p. 249, n. 1: Samuel P. Orth in The Armies of Labor (1919), pp. 134–136, being Vol. 40 of Chronicles of America, says, "the Brotherhood of Locomotive Engineers is composed of a very select and intelligent class of men. Every engineer must first serve an apprenticeship as a fireman, which usually lasts from four to twelve years. Very few are advanced to the rank of engineer in less than four years. The firemen themselves are selected men who must pass several physical examinations and then submit to the test of

as arduous an apprenticeship as modern industrialism affords. In the course of an eight- to twelve-hour run firemen must shovel from fifteen to twenty-five tons of coal into the blazing fire box of a locomotive. In winter they are constantly subjected to hot blasts from the furnace and freezing drafts from the wind. Records show that out of every hundred who begin as firemen only seventeen become engineers and of these only six ever become passenger engineers. The mere strain on the eyes caused by looking into the coal blaze eliminates 17 per cent. Those who eventually become engineers are therefore a select group as far as physique is concerned. The constant dangers accompanying their daily work require railroad engineers to be no less dependable from the moral point of view. The history of railroading is as replete with heroism as is the story of any war. A coward cannot long survive at the throttle. The process of natural selection which the daily labor of an engineer involves the Brotherhood has supplemented by most rigid moral tests. The character of every applicant for membership is thoroughly scrutinized and must be vouched for by three members. He must demonstrate his skill and prove his character by a year's probation before his application is finally voted upon. Once within the fold, the rules governing his conduct are inexorable. If he shuns his financial obligations or is guilty of a moral lapse, he is summarily expelled. In 1909, thirty-six members were expelled for 'unbecoming conduct.' Drunkards are particularly dangerous in railroading. When the order was only five years old and still struggling for its life, it nevertheless expelled 172 members for drunkenness. In proven cases of this sort the railway authorities are notified, the offending engineer is dismissed from the service, and the shame of these culprits is published to the world in the *Locomotive Engineers' Journal*, which reaches every member of the order. There is probably no other club or professional organization so exacting in its demands that its members be self-respecting, faithful, law-abiding, and capable; and surely no other is so summary and far-reaching in its punishments."

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